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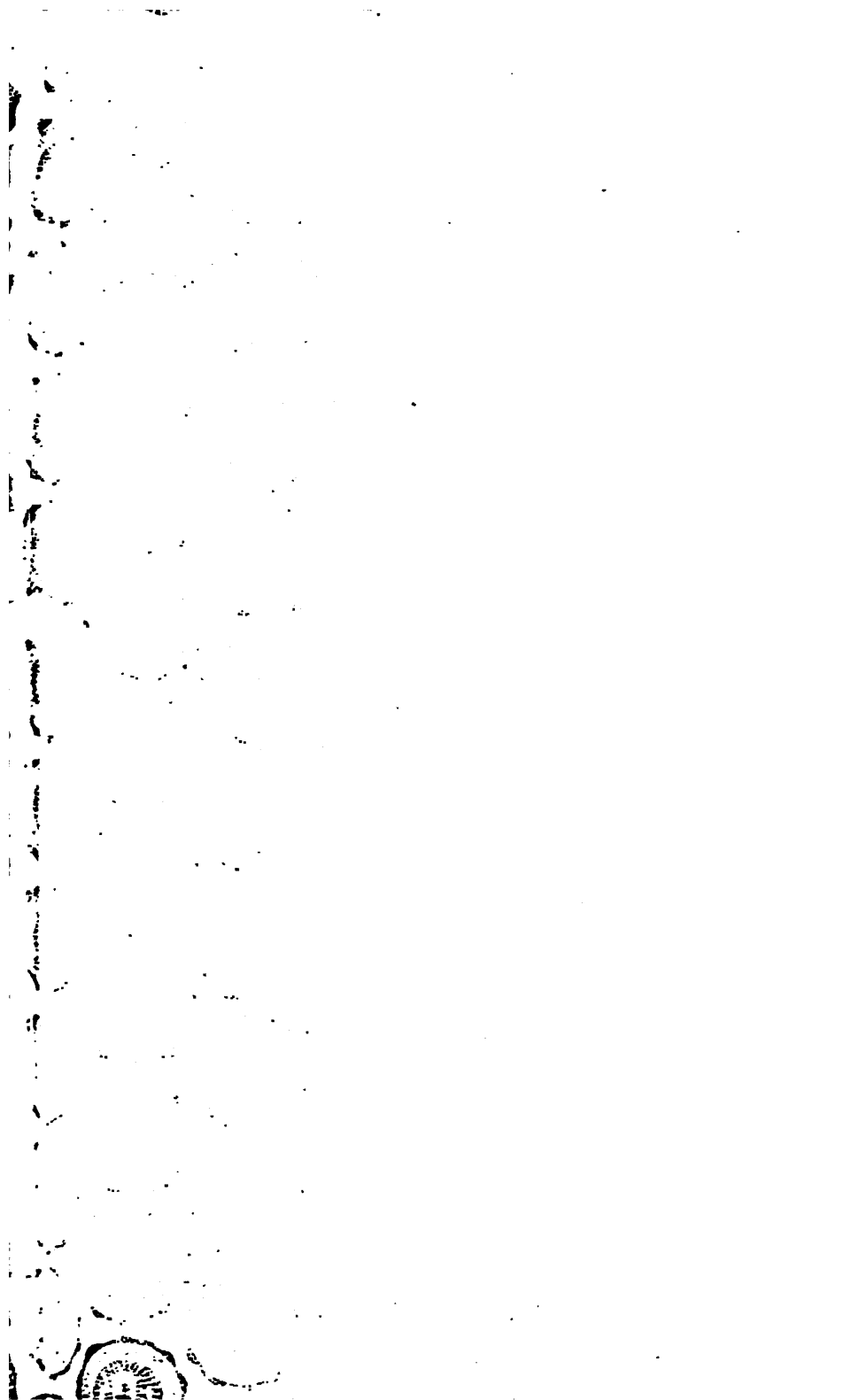
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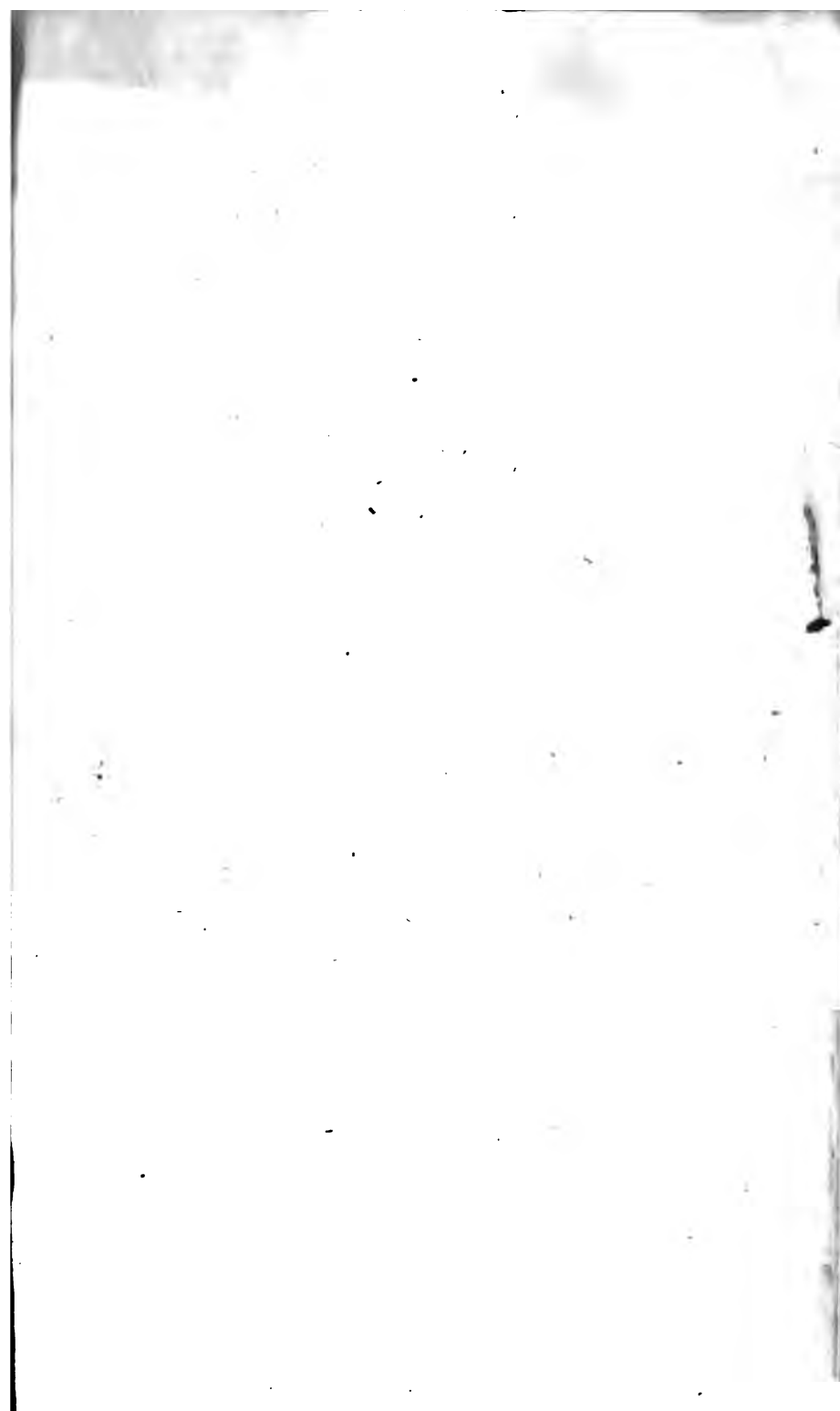
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**T H E**  
**H I S T O R Y**  
**O F**  
**E N G L A N D.**

Written in **FRENCH** by  
**M. RAPIN DE THOYRAS.**

Translated into **ENGLISH**, with Additional Notes, by  
**N. TINDAL, M. A.**  
Rector of **ALVERSTOKE**, in **HAMPSHIRE**, and  
Chaplain of the Royal Hospital at **GREENWICH.**

**ILLUSTRATED WITH**  
**MAPS, GENEALOGICAL TABLES, and the HEADS**  
**and MONUMENTS of the KINGS.**

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**V O L. XI.**

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**L O N D O N;**

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THE  
HISTORY  
OF  
ENGLAND.

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The history of the INTER-REGNUM, from the death of CHARLES I. to the restoration of CHARLES II.

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BOOK XXII.

*The history of the Inter-regnum is divided into three principal parts. The first contains what passed, whilst England was reduced to a DEMOCRACY. The second, what happened during the protectorates of OLIVER and RICHARD CROMWELL. The third, what passed from the deprivation of RICHARD CROMWELL, to the restoration of CHARLES II.*

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PART I.

*The Commonwealth of ENGLAND.*

TO understand the revolutions in England after the death of Charles I. we are necessarily to remember some material things which have already appeared in the foregoing reign, and of which it will not be amiss to make here a short recapitulation. 1649.

First, The parliament now sitting consisted properly but A recapitulation of some important matters.  
of a house of commons, who refused to acknowledge the  
negatant matters.

1649. negative voice of the peers. This they had manifestly showed in erecting a court of justice to try the king, without the concurrence of the lords, whose consent was voted unnecessary.

Secondly, This house of commons was composed of a small number of members, all independents, anabaptists, or other sectaries. All the presbyterian members who sat in the house the 6th of December were expelled by the army; and the absent, whose principles agreed not with those of the independents, durst not resume their places. If ever there was an usurpation, it was this mutilated parliament's government, founded only in violence, and wholly supported by the army. For though the house of commons pretended to represent the people of England, it is very certain, the nation afforded but few persons, who were pleased to see the sovereign power lodged in the hands of such representatives.

Thirdly, The independents, of whom this house was chiefly composed, were distinguished by two principles, one relating to the civil, the other to the ecclesiastical government. By the first, they asserted, that the republican government was not only the most perfect, but also absolutely necessary for England, after so many oppressions from her kings, who had changed the government into a real tyranny. With regard to religion, though they called themselves protestants, their principle was, that every particular church was independent, and might be governed as the members thought proper. Their notions concerning the vocation of the ministers of the gospel, were also very singular, as they believed that, without any other call, every man was free to discharge the office of minister, and use the talents given him by God. The other sectaries, who had joined the independents because they found in that party a full toleration, were united with them in the first of these principles, and had declared for a republican government. But with respect to religion, there were between them some differences, which the independents regarded the less, as they wanted to increase their adherents, and besides, believed that in matters of religion, toleration was absolutely necessary.

Fourthly, There was still in the army a remnant of levellers, who still adhered to their principles, and were always ready for any attempt to recover their credit. It is true, Cromwell, after having himself raised this faction, had in some measure dispersed, but not entirely destroyed it. An able leader would have made it as formidable as ever.

Fifthly,

1649.

Fifthly, It was with the utmost concern that the presbyterians saw the independents in possession of sovereign power. By that all their measures were broken: their progress for eight years became fruitless, and the storm they had raised against the king, returned upon their own heads, or at least, it was apparent, they had all this while been labouring for others without any thing done for themselves. For indeed the independents were equally enemies to presbyterian and episcopal government. As to civil government, it is certain, the presbyterians were not averse to royalty in general. If they had undertaken to limit its power, it was not from a belief that the thing was evil in itself, as established by the laws of England, but because the two last kings had used their power to destroy presbyterianism. So, whatever they had done against king Charles I. was not pointed so much against his dignity as his person, because they considered him as their enemy, and despaired of establishing a presbyterian government in the church, so long as he had power to prevent it. Very likely however many of them would have complied with a republican government, notwithstanding the tenour of the covenant, had that government not been in the hands of the independents, who were by no means inclined to support presbyterianism, and whose principles upon toleration were entirely rejected by the presbyterians. And therefore an union between the presbyterians and independents was morally impossible.

Sixthly, The royalists, equally enemies of both, could unite with neither of the parties, considering the opposition there was between their principles. The independents were for a commonwealth, to which the royalists could not consent. On the other hand, the presbyterians were for maintaining their government in the church, and most of the royalists could hardly believe, the presbyterian churches, as they had no bishops, to be true christian churches. Thus the royalists, though persecuted by both parties, were far from joining with either. On the contrary, they conceived some hopes, that the division among their enemies would, one day, give them a good opportunity to restore the monarchy to its former state. Wherefore they industriously fomented this division, in expectation that the presbyterians would at last be obliged to abandon their projects, and unite with the royal party, to free themselves from the persecutions they suffered.

Such were the interests of the parties which divided the people of England immediately after the death of Charles I.

1649. The remembrance of all this is absolutely necessary for understanding the transactions during the inter-regnum.

An act to forbid proclaiming the son of the king.

Jan 30.

Rushworth,

VII. p. 143.

Clarendon,

III. p. 201.

Whitelock.

The house

of lords abo-

lished by the

commons.

March 9.

Clarendon,

III. p. 201.

Whitelock,

p. 377, 390.

Phillips.

Some lords

protest.

Phillips,

Heath,

Clarendon,

III. p. 203.

Presently after the king's death, the house of commons published an act to forbid the proclaiming of Charles Stewart, eldest son of the late king, or any other person whatever, on pain of high treason. Here was laid, as it were, the foundation of the commonwealth, which the independents meant to erect in England. The same day the lords desired a conference with the commons about settling the government and the administration of justice, the judges commissions being determined by the death of the king. The commons, without answering the message, voted the house of lords to be useless and dangerous, and therefore to be abolished. They only left the lords the power of being elected members of parliament, in common with other subjects.

This privilege was embraced by a few<sup>a</sup>, but rejected by most of the peers, nay, some published a protestation against the power assumed by the commons, which was little regarded. Thus, the parliament, which at first was composed of the king, sixscore lords, and five hundred and thirteen commons, was reduced to a house of commons, consisting of about eighty members, of whom very few at the beginning, had five hundred pounds yearly income. And yet, these members, though so few in number, assumed the name of a parliament, and acted as if in their body had been united the power, which before resided in the king, lords, and commons. This might appear very surprising, if we had not seen the foregoing transactions, and the universal terror inspired by the army. Hence appears with what care and ability Cromwell and his associates had, upon the self-denying ordinance, filled the army with their creatures. Certainly, nothing less than an army entirely independent and republican could have procured a power so excessive and extraordinary to so inconsiderable a number of members of parliament. But it must also be confessed, that, of these new governors, some were men of great genius and uncommon capacity, and that if they erred in their principles, they wanted

<sup>a</sup> The earl of Salisbury, and the lord Edward Howard of Eserick, signed the engagement, to be true and faithful to the commonwealth, as it was established, without a king or house of lords, and took their seats in parliament by virtue of an election from the people, Ludlow, tom. 1. p. 293. And also, April 16, 1649, upon the

death of sir Francis Pile, a writ issued out for a new election, and the earl of Pembroke, with all his titles, was returned for knight of the shire for Berks, prime impressionis, and his lordship was accordingly admitted into the house with great respect. Whitelock, p. 396.

wanted not skill to pursue the consequences. Their principle was, that the sovereign authority resided originally in the people, by whom a part of it was committed to the king, chosen to govern them according to law. That the king, abuse of this trust, had broken the original contract between king and people, and by this violation, the contract subsisting no longer, the sovereign power returned to the people as the fountain thereof. So, considering themselves as the representatives of the people, they believed, they had a right to change the form of the government, without any regard to the original contract annulled by the king in his violation of the laws.

In consequence of this principle the commons, assuming the name of parliament, voted, and afterwards enacted, that the kingly office should be abolished as unnecessary, burdensome, and dangerous, and that the state should be governed by the representatives of the people in a house of commons without king or lords, and under the form of a commonwealth. This grand alteration in the government produced many others in things consistent with monarchy, but not with a commonwealth. The oaths of allegiance and supremacy were to be abolished<sup>b</sup>, justice was no longer to be administered in the king's name<sup>c</sup>, a new great seal was to be made, new money to be coined; in a word, every thing to be removed which bore any marks of royalty. A great seal was therefore made, on one side of which was seen the parliament sitting, with this inscription, "The great seal of the parliament of the commonwealth of England;" on the other side, the arms of England and Ireland, with these words, "The first year of freedom by God's blessing restored." This seal was committed to a certain number of persons, who were styled keepers of the liberties of England. And it was ordained that for the future, all publick orders should be dispatched in the name of these keepers,

<sup>b</sup> Instead thereof a new oath was prepared, called the engagement, whereby every man swore, That he would be true and faithful to the government established, without king or house of peers. Clarendon, tom. III. p. 204.

<sup>c</sup> The name, stile, and test, of the writs were to be, custodes libertatis Angliæ, autoritate parliamenti.—And in indictments, instead of, contrary to the peace of—the king, it was to be—against the peace,

justice, and council of England. Whitelock, p. 371, 374.

<sup>d</sup> The lord Clarendon says, on one side was engraven the arms of England and Ireland, viz. a red cross and harp, with this inscription, The great seal of England; and on the other the portraiture of the house of commons circumscribed, In the first year of freedom, by God's blessing restored, 1648. tom. III. p. 202. This seal, and the inscriptions, were the fancy of Henry Martin. Whitelock, p. 367.

1649. keepers; under the direction of the parliament<sup>e</sup>. Lastly, The parliament made choice of thirty nine persons to form a council of state for the administration of publick affairs under the parliament.<sup>f</sup> The projects of these changes were formed in February, but the execution of them all required some months.

Council of  
state.  
Whitelock,  
p. 38r.  
Dugdale's  
View.

A new high  
court of jus-  
tice. Bates.  
Clarendon,  
III. p. 204.  
Whitelock,  
p. 377.

In the beginning of March, the parliament erected a new high court of justice, consisting of sixty members, to try some persons of distinction, who were in their power. It seems, as there was no house of lords, the peers of the kingdom had lost their privileges under this new democracy, and that consequently the imprisoned lords might have been tried by a jury, in one of the courts of justice. The parliament, without doubt, was apprehensive, that a jury, impanelled as usual, would never find persons of quality guilty of death, for supporting the cause of their sovereign. The independents were not sufficiently numerous among the people, to be secure of a jury of their party. Besides, they were not assured of the judges, six of whom had refused to accept commissions from the commonwealth. But in erecting a court of justice, the parliament could name such judges as would be obedient to their orders.

Some noble  
prisoners  
brought be-  
fore it.  
February 10.  
State trials.  
Burnet's  
Mem.  
Whitelock,  
p. 380.

Before this new court, of which Bradshaw was president, as he had been of that which condemned the king, were brought duke Hamilton, the earl of Holland, the lord Goring, lately created earl of Norwich, the lord Capel, and Sir John Owen, all for the same crime, namely, for having appeared in arms against the parliament. When the king had a mind in the beginning of the civil wars, to put to death prisoners taken at Edgehill and Colebrook, the parliament thinking it unjust, declared, they would inflict the same punishment on their prisoners, if the condemned persons were executed. But when victory had decided in their favour, it was found very agreeable to justice, to punish with death those who had fought for the king. This will seem the less strange, when it is remembered, that the king himself had been put to death, for making war upon the parliament.

Duke of  
Hamilton's  
defence.

The duke of Hamilton represented, that being a subject of Scotland, he had entered England with an army, as an open

<sup>e</sup> Widdrington and Whitelock were first appointed keepers of the new great seal; but Widdrington desiring to be excused, and his excuse being admitted, an act passed, appointing, Bulstrode Whitelock, Richard Keeble, and

John Lisle, lords commissioners of the great seal, quamdiu se bene gesserint. Whitelock, p. 378, 379.

<sup>f</sup> See a list of this council in Whitelock, p. 381.

open enemy, by virtue of a commission from the parliament of Scotland, which he was bound to obey, and consequently, could be treated but as a prisoner of war. As this objection had been foreseen, he was told, he was not proceeded against as duke Hamilton in Scotland, but as earl of Cambridge in England; and since he had accepted that title, and as such, taken a seat in parliament, he was thereby become a subject of England: that if the title of duke of Hamilton obliged him to obey the parliament of Scotland, that of earl of Cambridge ought to have engaged him to refuse the commission. Besides, they were informed, that his accepting the command of the Scotch army, was not owing to mere obedience, but to his own solicitation, and that he had been the principal author of the war.

1649.

Burnet's  
Mem.  
p. 386, &c.  
III. p. 204.  
State trials.  
t. II.  
Whitelock,  
p. 380.  
Ludlow.

The earl of Holland spoke but little in his defence. Besides, the steps he had taken, and his frequent changing sides, did not much favour his cause.

Be- Earl of  
Holland.  
Clarendon,  
III. p. 204.  
Earl of  
Norwich.

The lord Goring (earl of Norwich) represented, that he had been educated in the court from his cradle, having been a page to king James I. that he had never served any other master than the king, whom he had followed without examining the justice or injustice of his cause, not having had opportunity to be informed in such points, which were above his capacity.

The lord Capel, steadfast to his principles, and zealously attached to the cause of his sovereign, defended himself with more courage and resolution. He refused, at first, to own the authority of the court, alledging, that if he had committed any crime he ought to be tried in the usual form, and not before a court unsupported by any law. But the condemnation of the king himself, by a court of the like nature, might have convinced him, of the unserviceableness of such a defence. He said afterwards, that having surrendered himself prisoner at discretion, he was, by the law of nations, exempted from death, if not inflicted within so many days, which were long since expired. He urged, that when after the taking of Colchester, the council of war had condemned Lucas and Lisle to be shot, general Fairfax promised life to the other prisoners, and therefore he demanded the benefit of that promise. The court being a little embarrassed, sent to the general, to know what promise he had made the lord Capel. His answer was, that as general, he had promised the prisoners an exemption from military execution, to which three had been condemned, and that his intention reached no farther. Upon this answer it was decided, that the general's

Lord Capel.  
Ibid.

Whitelock,  
p. 381.

1649. ral's promise did not exempt the prisoner from the justice of the parliament.

Sir John Owen.

Sir John Owen said only, he was obliged in conscience to serve the king according to his oath of allegiance.

They are condemned. Petitions in their favour.

Clarendon, III. p. 206, 207.

Whitelock, p. 386.

Notwithstanding their defence, they all received sentence of death<sup>a</sup>. But as they had many friends, petitions were offered to the parliament in their name for a pardon. These petitions were examined in the house, and those of duke Hamilton, the earl of Holland, and lord Capel rejected. The votes were equally divided upon that of the earl of Norwich, and as, according to custom, the speaker's vote was to decide, he declared for pardon, saying, He had formerly received from the earl some civilities, and therefore voted in his favour<sup>b</sup>. The execution of sir John Owen was suspended, because, as a commoner, he ought to have been tried before an inferior court. This saved his life. The three first were executed on a scaffold, erected before Westminster Hall.

March 9.

The duke of Hamilton executed. Burnet's Mem.

p. 404. Clarendon, III. p. 209. Whitelock, Phillips. Dugdale's View, p. 388.

Duke Hamilton complained, when on the scaffold, that he was condemned to die for obeying the parliament of Scotland, which if he had not done, he must have been put to death there. But it was with little reason that he insinuated a danger of being put to death in Scotland, for a refusal to accept the command of an army raised by his intrigues and authority. He intimated, that if he would have confessed who invited the Scots army into England, it would probably have saved his life. Before his process was formed, he had been strongly solicited to make this discovery, which he utterly refused to do<sup>c</sup>. The character of this duke is not easy

g When sentence passed, that they should all lose their heads, sir John Owen made a low reverence, and humbly thanked them: and being asked by a stander by, what he meant? he said aloud, "It was a very great honour to a poor gentleman of Wales, to lose his head with such noble lords; and I swore a great oath, that he was afraid they would have hanged him." Clarendon, tom. III. p. 206.

h Upon this occasion Whitelock observes, this may be a caution against the affectation of popularity, when the earl of Holland, who was as full of generosity and courtship to all sorts of persons, and readiness to help the oppressed, and to stand for the rights of the people, as any person of his quality in the nation, was given up by the re-

presentatives of the people; and the lord Goring, who never made profession of being a friend to liberty, either civil or spiritual, and exceeded the earl as much in his crimes, as he came short of him in his popularity, was spared by the people, p. 386.

i Rapin, misled by Baker's Continuator, says, "he offered to discover what had been desired, if his life might be spared," which contradicting all the historians, is altered by the translator from Whitelock, &c. Instead of quoting Edward Phillips, Baker's Continuator, Rapin has all along in the margin quoted Baker himself; but that is rectified every where. Sir Richard Baker died in 1644, in the Fleet.

easy to be conceived. All that can be inferred from what has been said for or against him, is, that he had the art to adapt himself to the times. And the earl of Clarendon plainly insinuates, that when he was employed by the king, he was secretly making friends in the contrary party, in case affairs should turn to the king's disadvantage. 1649.

The lord Capel maintained, That he had acted nothing contrary to the laws, and consequently was unjustly sentenced to die. He spoke of king Charles I. as of a saint, and enlarged upon the great understanding, excellent nature, and exemplary piety of the prince, to whom he gave the title of king, affirming, he would never be shaken in his religion. In all appearance, the lord Capel spoke his real sentiments. But the sequel discovered, either that he did not sufficiently know Charles the II<sup>d</sup>, or that prince had other principles when restored to the throne, than those he had imbibed in his youth. Lord Capel executed. Clarendon, III. p. 209, 210.

At or about the same time, many others were executed for the same crime in several parts of the kingdom; and amongst the rest were Morrice and Blackbourn, who had surprized the castle of Pontfract for the king. Poyer, Powell, and Langhorn, who had drawn into a revolt from the parliament the principality of Wales, cast lots for their lives, and the first was executed. Other executions. Phillips. Whitelock.

When the army drove from the house above a hundred members, who were unacceptable to them, those only were expressly excluded, which were then present: but many were absent, against whom nothing had yet been determined. Indeed, these had never since taken their seats in the house, being apprehensive of the same fate. But possibly they might return in great numbers, whenever a favourable opportunity offered. This the house resolved to prevent, by an act, which excluded for ever, all who had not sat since the trial of the king, unless they gave the house an entire satisfaction. At the same time, a committee was appointed to examine those who should offer themselves. This committee received, without scruple, those who were of independent principles, and found reasons to exclude their enemies. This indeed was a good expedient to prevent divisions in the parliament, because the members were all of one party. But this precaution bred an inconvenience, which called for other measures. The parliament consisted of so few members, that they perceived the ridiculousness of filling themselves the representative of the commonwealth. It is true, the vacant seats might have been filled by new elections, but the parliament did

# THE HISTORY

1649. did not care to run that risque, knowing, their party was yet too inconsiderable, to hope for new members of their own principles. The house therefore resolved, in order to increase their authority by a greater number of members, to permit all who had sat in the present parliament, to resume their places, on condition of signing an instrument called the Engagement, by which, "they rejected all concessions made by the king in the treaty of Newport; approved of all the proceedings against him; and engaged themselves to be true and faithful to the commonwealth, as established without king or house of lords." By this engagement were excluded all the royalists, and the presbyterians, who were the most rigid observers of the covenant. But however, a good number of the latter signed, and took their seats in the house, being either less scrupulous than their brethren, or in hopes to recover some influence in the parliament. Notwithstanding, those who were known to be most incensed against the independents, were excluded by the committee. Edmund Ludlow, a member of this committee, freely owns in his memoirs, that an expedient was found to admit only those, from whom it was believed, there was no danger<sup>k</sup>.

They are re-  
admitted on  
condition of  
signing an  
engagement.  
Ludlow,  
t. I. p. 292.  
Whitelock,  
p. 383.  
Which is  
signed by  
many pres-  
byterians.

Ludlow,  
t. I. p. 292.

The prince  
of Wales  
takes the  
title of king.  
Feb.  
Clarendon,  
III. p. 215.  
Establishes  
a council.  
Id p. 216.  
Is called by  
the queen  
into France.

The prince of Wales received at the Hague the melancholy news of the tragical death of his father, and immediately assumed the title of king, being then eighteen years of age. Within two or three days, the states general, the states of Holland, and the ministers of the Hague<sup>l</sup>, paid him their compliments of condolence. He caused those of his father's council, who attended him, to be sworn of his privy council, with the addition of only one person<sup>m</sup>. He had no sooner established his council, than he received a letter from the queen his mother, who, after expressions of her extreme affliction, advised him to retire into France, and form no council till she had spoke with him, but her advice came too late. Probably, the queen designed to govern her son, as she had had

<sup>k</sup> To support their authority, the powers in being ordered, that there should be twenty eight thousand horse and foot kept up in England, and twelve thousand in Ireland, whose pay should be 80,000 l. a month. Whitelock, p. 386.

The body of the clergy in a Latin oration delivered by the chief preacher of the Hague, lamented the misfortune in terms of as much aspe-

city and detestation of the actors, as unworthy the name of christians, as could be expressed. Clarendon, tom. III. p. 216. For which reason perhaps the states inhibited their ministers from insisting upon matters of state in their pulpits, and particularly not to meddle with England's, or other kingdoms proceedings. Whitelock, p. 392.  
<sup>m</sup> Mr. Long his secretary.

had governed his father, though the power of the new king <sup>1649.</sup> was insignificant. His condition was deplorable, not having wherewithal to maintain his household, or any table but that of the prince of Orange his brother-in-law, and subsisting entirely by his assistance, which too could not last very long. The states of Holland, foreseeing the parliament would shortly solicit the king's removal out of their dominions, would have been very glad to be freed, by his voluntary retreat, from the necessity of desiring him to depart. Some of the states deputies were even of opinion, to prevent the desires of the parliament. The king was informed of this disposition, and wished to be gone, but knew not whither. He had been ill received in France whilst his father was alive, and had no reason to expect a better reception. He knew too well the queen regent and cardinal Mazarin, to imagine, they would prefer his friendship to that of the new commonwealth of England. So, though he had resolved to withdraw into France, it could have been but for a very short space. On the other hand, he had no great inclination to be with the queen his mother, knowing, she would hold him in a sort of servitude, which he could neither brook, nor avoid without a quarrel. Ireland alone seemed to promise him an honourable retreat, by reason of the situation of affairs in that kingdom, which it is necessary to describe.

Is coldly treated in Holland. Clarendon, III. p. 216.

Knows not whither to go.

He resolves upon Ireland Ibid.

In the year 1646, the marquiss of Ormond, by express orders from the king, concluded a peace with the Irish rebels, in hopes of receiving sufficient forces to drive from that island the English parliamentarians and the Scots. But how- ever advantageous this peace was to the catholick religion, the pope's nuntio did not think fit to consent to it. The pretence was, that the catholicks found in it neither sufficient advantages, nor security. But the true reason was, that by this peace he would have lost all his credit, since the marquiss was to be acknowledged governor by the Irish. He caballed therefore with such successes among the people, that, not only they deserted the marquiss, but also by their insults obliged him to retire to Dublin, unprovided of every thing to defend that capital, which they were preparing to besiege. In this extremity, he chose rather to deliver Dublin and Drogheda to the parliament, than see them fall into the hands of the rebels. He capitulated therefore with the parliament, and surrendered these two places to colonel Jones, who took possession the 17th of June 1647. After that the marquiss withdrew into England, where he had frequent

The condition of Ireland.

Rushworth, VI. p. 401, 444. Phillips.

The Bates.

R. Coke.

Cox, pt. II. p. 193. Appendix, p. 137. Clarendon, III. p. 74, leave &c.

1649. leave to visit the king, then a prisoner of the army, till at last he was forced to pass into France.

After the marquiss had quitted Ireland, the nuntio exercised a tyranny, which grew intolerable to the Irish. They therefore sent to the queen and prince then at Paris, that they were disposed to shake off the nuntio's yoke, and if the marquiss of Ormond were sent to them with a supply of arms and ammunition, they would put him at the head of an army capable of expelling all the king's enemies out of the island. The nuntio had notice of this plot, and excommunicated the authors; but for this once, he proved not the strongest. He was forsaken by all his adherents, and even forced to ask as a favour, the liberty to withdraw.

The marquiss of Ormond long waited at Paris for the performance of a promise made him by the cardinal, of a supply of money, arms and ammunition. But finding at last, he was only amused, he departed without any assistance, and arrived in Ireland the beginning of October 1648. Three months after, he concluded a new treaty with the grand council of the Irish assembled at Kilkenny<sup>n</sup>. At the same time the process was forming in England against the king. But this peace was not general. Owen Roe O'Neal, who commanded in Ulster, rejected it, because, as he pretended, it was not advantageous enough to the catholick religion. Much time was spent to gain him, without success. At last, the marquiss of Ormond, not to lose the opportunity of making progress in Ireland, while the parliament was erecting their new commonwealth, resolved to take no farther notice of O'Neal, but act singly with the army which the council of Kilkenny had at their disposal. He put himself therefore at the head of that army, and advancing towards Dublin, took Dundalk, Newry, Trim, Drogheda, and some other Towns and castles, which facilitated his intended siege of Dublin. On the other hand, prince Rupert, admiral for the king, being pursued by the parliament's fleet, put into Kingsale, where he was secure, and in a condition to favour the marquiss of Ormond's designs. This disposition of affairs made the king judge that Ireland was a convenient retreat, where at the head of an army, he might make himself master of Dublin, and then of the whole island. After which he hoped, that with his Irish succours and his friends in England, he might recover his throne. But news from Scotland made

Rushworth,  
VII. p.  
1297, 1312.  
Borlase,  
p. 197, &c.  
Bates.  
Lutlow.  
Whitelock.  
Clarendon,  
III. p. 232.

Id. p. 216.  
Bates.  
Borlase,  
p. 213, &c.

<sup>n</sup> This treaty is to be met with in Bayes's *Elenchus Motuum*, p. 145, and was very advantageous to the Roman catholicks. Rapin.

made him suspend his resolution of going to Ireland. And this it will be necessary to explain. 1649.

Since Cromwell's expedition into that kingdom, after the defeat of duke Hamilton, the face of affairs was entirely changed. The marquiss of Argyle, with all the rigid covenanters who opposed the war against England, had regained the advantage they had lost. The new parliament had declared incapable of all employments, those who were concerned in the engagement formed by duke Hamilton, and the kirk had excommunicated them: so that they were considered as enemies of God and the state. Of this number were William earl of Lanerick, brother of duke Hamilton, the earl of Lautherdale, and many others, who formed a faction, which I shall call Hamiltonian, and which was entirely crushed. By this revolution Scotland remained united with England, so long as the English parliament continued presbyterian, that is, to the 6th of December 1648.

Affairs of  
Scotland.  
Id. p. 212.  
Burnet's  
Mem.  
p. 348, &c.  
Whitelock.

The revolution in England, upon the army's expelling the presbyterian members from the parliament to leave only independents, changed the interests of Scotland. The independents mortally hated the Scots on account of their attachment to the covenant, and these again looked upon the independents as enemies, no less formidable than the royalists. This might have sunk the credit of Argyle, which partly subsisted upon his friendship with Cromwell and Vane, the chiefs of the independents. But the Scots had a confidence in him, because in religion he was an approved presbyterian, though in politicks he leaned to the republican scheme. When the parliament of England had erected a court of justice for the trial of the king, the Scots found themselves extremely embarrassed. To suffer the independents to remain masters of England after the death of the king, which was visibly their design, could not but be very disadvantageous to them. They perceived, that a parliament so composed would disregard Scotland, and infallibly ruin the covenant between the two kingdoms, which it was of the utmost importance for the Scots to maintain, because the presbyterians might possibly one day recover the ground they had lost. But on the other hand, they could not take up arms for the king without manifest danger. After their late loss, they were hardly able to raise another army to fight the independents; and though they had done it, they would not have saved the king's life. They therefore resolved to shew the English and all Europe, that they highly disapproved the

1649. the proceedings of the parliament of England, which was all they could do on that occasion.

Clarendon,  
III. p. 218.

The Scots  
protestation.  
Id. p. 220.  
Whitelock,  
p. 370.

Pursuant to this resolution, commissioners were sent to London, where they arrived the beginning of January 1648-9, and presented a memorial to the parliament, setting forth the reasons which ought to divert them from their purpose of trying the king. But this memorial produced no effect. At last, after the king had been twice brought before the high court of justice, they gave in their protestation, in which they put them in mind, " That they had, near three weeks before, represented to them, what endeavours had been used for taking away the king's life, and for the change of the fundamental government of the kingdom, and introducing a sinful and ungodly toleration in matters of religion; and that therein they had expressed their thoughts, and fears, of the dangerous consequences that might follow thereupon; and that they had also earnestly pressed, that there might be no farther proceeding against his majesty's person, which would certainly continue the great distractions of the kingdom, and involve them in many evils, troubles, and confusions; but that by the free counsels of both houses of parliament of England, and with the advice and consent of the parliament of Scotland, such course might be taken in relation to the king, as might be for the good and happiness of both kingdoms; both having an unquestionable and undeniable right in his person, as king of both; which duly considered, they had reason to hope, that it would have given a stop to all farther proceedings against his majesty's person. But now understanding, that after the imprisonment and exclusion of divers members of the house of commons, and without and against the consent of the house of peers, by a single act of their own, and theirs alone, power was given to certain persons of their own members of the army, and some others, to proceed against his majesty's person, in order whereunto he had been brought before that extraordinary new court; they did therefore, in the name of the parliament of Scotland, for their vindication from false aspersions and calumnies, declare, that though they were not satisfied with his majesty's late concessions in the treaty at Newport, in the Isle of Wight, especially in the matters of religion, and were resolved not to crave his restoration to his government, before satisfaction should be given by him to that kingdom; yet they did all unanimously with one voice, not one member excepted, disclaim

" the

" the least knowledge of, or occasion to the late proceedings  
 " of the army here against the king; and did sincerely pro- 1649.  
 " fess, that it would be a great grief to their hearts, and lie  
 " heavy upon their spirits, if they should see the trusting his  
 " majesty's person to the two houses of the parliament of  
 " England, to be made use of to his ruin, contrary to the  
 " declared intentions of the kingdom of Scotland, and so-  
 " lemn professions of the kingdom of England: and to the  
 " end that it might be manifest to the world, how much they  
 " did abominate and detest so horrid a design against his ma-  
 " jesty's person, they did, in the name of the parliament and  
 " kingdom of Scotland, declare their dissent from the said  
 " proceedings, and the taking away his majesty's life; pro-  
 " testing, that as they were altogether free from the same,  
 " so they might be free from all the miseries, evil conse-  
 " quences, and calamities, that might follow thereupon to  
 " the distracted kingdoms."

The parliament answered this protestation, but after the  
 king's death, saying, " They had heretofore told them, what  
 " power this nation had in the fundamentals of govern-  
 " ment; that if Scotland had not the same power and liber-  
 " ty, as they went not about to confine them, so they would  
 " not be limited by them; but leaving them to act in their  
 " as they should see cause, they resolved to maintain their  
 " own liberties, as God should enable them. And as they  
 " were very far from imposing upon them, so they should  
 " not willingly suffer impositions from them, whilst God gave  
 " them strength or lives to oppose them." They said,  
 " The answer they made to their first and second letter was,  
 " that after a long and serious deliberation of their own  
 " intrinsic power and trust, (derived to them by the pro-  
 " vidence of God, through the delegation of the people)  
 " and upon the like considerations, of what themselves and  
 " the whole nation had suffered, from the mis-government  
 " and tyranny of that king, both in peace, and by the  
 " wars; and considering, how fruitless, and full of danger  
 " and prejudice the many addresses to him for peace had  
 " been, and being conscious how much they had provoked  
 " and tempted God, by the neglect of the impartial execution  
 " of justice, in relation to the innocent blood spilt, and mis-  
 " chief done, in the late wars, they had proceeded in such  
 " a course of justice against that man of blood, as they  
 " doubted not the just God (who is no respecter of persons)  
 " did approve, and would countenance with his blessings up-  
 " on the nation; and though perhaps they might meet with  
 " many

The parlia-  
 ment's an-  
 swer.  
 Clarendon,  
 III. p. 227.

1649. " many difficulties, before their liberties and peace were settled, yet they hoped they should be preserved from confusion, by the good will of him who dwelt in the bush, which burned and was not consumed ; and that the course they had taken with the late king, and meant to follow towards others, the capital enemies of their peace, was, they hoped, that which would be for the good and happiness of both nations ; of which, if that of Scotland would think to make use, and vindicate their own liberty and freedom, (which lay before them, if they gave them not away) they would be ready to give them all neighbourly and friendly assistance, in the establishing thereof ; and desired them to take it into their most serious consideration, before they espoused that quarrel, which could bring them no other advantage, than the entailing upon them, and their posterities, a lasting war, with all the miseries which attended it, and slavery under a tyrant and his issue."

Reply of the  
Scotch deputies.  
Clarendon,  
III. p. 221.  
Whitelock,  
p. 384, 389.  
Phillips.

Shortly after, the Scotch commissioners were recalled. But after their departure, an answer was in their name presented to the parliament, which charged the fitting members with unfaithfulness, breach of promises and oaths, and other things very offensive. This was so ill received by the parliament, that they ordered them to be arrested on the road, and put under guard, till it should be known whether they were avowed by their principals. But, the Scotch parliament justifying them, and complaining of the violation of the law of nations, they were immediately discharged.

Difficulties  
under which  
the Scots lay

In so nice a juncture, the Scots had but two ways to prevent their falling into a dangerous anarchy. They were either, with the English, to change their government into a commonwealth, or else acknowledge the eldest son of the late king for their sovereign. But each of these ways had its difficulties. A republican government was directly contrary to their antient constitution, the two covenants, and the inclination of the people. Besides it was not seen what advantage could accrue to the nation from such a change. The second way was likewise very embarrassing, considering the circumstances of Scotland for many years past. Had James I. and Charles I. not invaded the privileges of Scotland, by introducing the religion of England, contrary to the inclinations of the people : had the differences between Charles I. and his Scotch subjects produced no civil war : had not the treaty which ended that war, and restored to the Scots their antient religion, been extorted from the king :

king: had not the invincible distrust of the Scots, with regard to Charles I. armed them to lessen his power in England, and disable him to revoke his concessions to Scotland: had not the Scots sworn two covenants, the one national, and the other common to both nations, to maintain presbyterianism: had these things, I say, never happened, the Scots might, nay, ought to have acknowledged for sovereign the next heir of the crown, according to the immemorial custom of Scotland. But in the recognition of this new king, the maintenance of their laws, their privileges, their religion, was concerned. Herein lay the difficulty, for the accession of a new king to the crown, was no reason to oblige them to relinquish things, which had cost them a ten years war. They knew, prince Charles, eldest son of the late king, had the same principles as his father, concerning religion, and civil government; and had never entertained, nor did now entertain, any persons about him, but what were mortal enemies to their nation and religion. Wherefore, in receiving him for king without any previous condition, they ran the risk of being replunged into their former state under Charles I. who by artifices, and, as they thought, by deceit, and at last by open violence, had undertaken to reduce the kirk of Scotland to a perfect conformity with the church of England. As therefore, agreeably to the laws and customs of the kingdom, it was natural to acknowledge for sovereign him, to whom the crown was to devolve, it was no less proper, in the present juncture, to take care to preserve what they had with so much difficulty recovered. Was it reasonable for them, to deliver themselves to the mercy of a young prince, yet a stranger to them, and cause their peace and happiness to depend on his sole will, notwithstanding their suspicions, that he had no more affection for them than his father? Nevertheless, as his affairs were almost desperate, they imagined, the offer of their crown, might engage him to become a good Scot, and dismiss his English counsellors, who were not proper for Scotland; in a word, would think himself very happy to recover one of his kingdoms, and see himself in the same state in which his ancestors were, before his grandfather's accession to England. They resolved, therefore, to acknowledge and proclaim him, but however with restrictions, which left them at liberty to capitulate with him. The proclamation was thus worded:

1649.

The Procla-  
mation of  
Charles II.  
in Scotland.  
Feb. 5.  
Philips.

“ The estates of parliament presently \* convened in this second sessions of this second triennial parliament, by virtue of an act of the committee of estates, who had power and authority from the last parliament, for convening the parliament; considering, that forasmuch as the king’s majesty, who lately reigned, is, contrary to the dissent and protestation of this kingdom, removed by a violent death; and that by the lord’s blessing, there is left unto us a righteous heir, and lawful successor, Charles prince of Scotland and Wales, now king of Great-Britain, France, and Ireland; we the estates of the parliament of the kingdom of Scotland, do therefore most unanimously and chearfully, in recognition and acknowledgment of his just right, title, and succession to the crown of these kingdoms, hereby proclaim and declare to all the world, that the said lord and prince Charles is, by the providence of God, and by the lawful right of undoubted succession, king of Great-Britain, France, and Ireland, whom all the subjects of this kingdom are bound, humbly and faithfully to obey, maintain, and defend, according to the national covenant, and the solemn league and covenant betwixt the two kingdoms, with their lives and goods, against all deadly enemies, as their only righteous sovereign lord and king.

“ And because his majesty is bound by the law of God, and the fundamental laws of this kingdom, to rule in righteousness and equity, to the honour of God, the good of religion, and the wealth of his people: it is hereby declared, that before he be admitted to the exercise of his royal power, he shall give satisfaction to the kingdom, in those things that concern the security of religion, the unity betwixt the kingdoms, and the good and peace of this kingdom, according to the national covenant, and the solemn league and covenant; for which end we are resolved, with all possible expedition, to make our humble and earnest addresses to his majesty. For the testification of all which, we the parliament of the kingdom of Scotland, publish this our acknowledgment of his just rights, title, and succession to the crown of these kingdoms, at the market-cross at Edinburgh, with all usual solemnities in like cases, and ordain his royal name, portrait, and seal, to be used in the publick writings and judicatories of this kingdom.

\* Presently in the Scotch papers is used for now, or at present.

“ kingdom, and in the mint-house, as was usually done to 1649.  
 “ his royal predecessors, and command this act to be pro-  
 “ claimed at all the market-crosses of the royal burghs, and  
 “ to be printed, that none may pretend ignorance.”

When the proclamation was published, the council dis- The king  
 patched sir Joseph Douglas, to give the king notice of it, informed of  
 and the states sent also two commissioners<sup>p</sup>, only to inform it by an  
 him of what had been acted in his favour, but without any express.  
 order or instruction to treat with him. Before the condi- Clarendon.  
 tions on which he was to be invested with the royal autho- III. p. 217.  
 rity were proposed to him, it was necessary to know, if he Whitelock.  
 would accept the crown upon terms not yet known, but easy Heath.  
 to be guessed<sup>q</sup>. The commissioners found the king at the The earls of  
 Hague, where there arrived at the same time, but in another Lanerick,  
 ship, the earls of Lanerick and Lautherdale, and some time Lautherdale,  
 after the earl of Montrose also from France. When the late and the  
 king, after his retreat to the Scotch army, ordered Mon- marquis of  
 trose to lay down his arms, he retired into Germany, and arrive at  
 served in the emperor's army. Afterwards he went into the Hague.  
 France, where the queen and prince of Wales gave him a Clarendon,  
 reception very different from what he expected, after his III. p. 217.  
 great services in Scotland. This coldness was owing to his 223, 224.  
 arrival in France, at the very time the queen was using her  
 endeavours to persuade the king her husband, to throw him-  
 self upon the presbyterians and Scots, and grant all their  
 demands, imagining, he had no other refuge. It was there-  
 fore no proper season to caress a man, who was extremely  
 hated in Scotland. He had been very successful in serving  
 the king, but had used his advantages with such barbarity,  
 that he had been degraded by the parliament, and excom-  
 municated by the kirk; so that in Scotland he was con-  
 sidered as an enemy to the nation, and to presbyterianism.  
 As his residence in France was very disagreeable, he no  
 sooner heard of the death of Charles I, then he repaired to  
 the Hague to offer his service to the new king. In his re-  
 tinue, were some Scottish lords and gentlemen attached to  
 his fortune.

The king received very coldly the news of his being The king  
 proclaimed, by reason of the restriction in the proclamation. receives the  
 There was however nothing strange in it, since the Scots news of the  
 pretended only to require what had been asked of Charles I. proclamation  
 coldly.

B 3

agreeably

<sup>p</sup> The commissioners of the kirk sent also four of their ministers. Clarendon, tom. III. p. 217.

<sup>q</sup> The kirk declare, that he should

first sign the covenant, submit to the kirk's censure, renounce the sins of his father's house, and the iniquity of his mother. Ibid. p. 222.

1649. agreeably to their covenant, and the covenant of the two kingdoms. But the king and his council, it seems, were persuaded, that the Scots had not the least right to exact such conditions. That is to say properly, the Scots in their recognition of the new king, ought at the same time to acknowledge the injustice of their covenants, and depart from all their pretensions. These were two contraries which they thought to be irreconcilable, namely, that the Scots should own the king's undoubted right, and yet desire to capitulate with him. In a word, they pretended that the transactions of the last ten or twelve years, ought to be entirely buried in oblivion. Charles I. Charles II. and their counsellors, were prepossessed with an opinion which often deceived them, namely, that there was no mean between an absolute attachment to the king, and a total enmity to him. The lord Clarendon's history abounds with instances of this prepossession. But to confine myself to the present occasion, this illustrious historian in representing the Scotch nation, as animated with a just indignation against the English parliament, for the king's death, would infer, that Scotland was inclined to accept the prince his son for successor without any condition. But as this did not happen, he ascribes it to the artifices and credit of the marquiss of Argyle. He says, the marquiss would have been glad to prevent the king's being proclaimed, but as he durst not oppose the general sentiment of his country, he was forced to consent to it. According to him, the marquiss of Argyle was the sole cause of the restriction in the proclamation. This supposes the proclamation to have been the general sense of the people, and the restriction the effect of Argyle's intrigues. But if this restriction was agreeable to the interests and sentiments of the ruling party, as I have shown, why is it ascribed to the marquiss alone? Was it impossible for the people of Scotland to acknowledge king Charles II. without an entire confidence in him? But the Scots acted with him only in the same manner as they acted with his father, as appears in the covenant itself, wherein they showed an extreme distrust of the late king, even when they engaged to defend his person and rights. The restriction therefore contained nothing new, or extraordinary. It was a natural consequence of the troubles begun in 1637.

Division amongst the Scots at the Hague. Clarendon, III p. 222. 224.

However this be, Charles believed, that no great regard was due to what had yet been done for him in Scotland. He understood, that in the intended capitulation, things would be demanded which he had resolved not to grant, as

the confirmation of the covenant and the presbyterian government. He wished however to justify his disinclination to Scotland, by the advice and opinion of the Scotch lords who were with him at the Hague. For this purpose he would have had them appear together before his council, and upon being consulted, dissuade him from going to Scotland, and the council thereupon form their resolution. The marquis of Montrose approved of this proceeding; but the earl of Lautherdale, and the earl of Lanerick who took the title of duke Hamilton, on hearing at the Hague the tragical death of his brother, would not consent to it. They thought it too nice a proceeding, for Scotch lords to appear before an English council. By that the earl of Traquaire had been ruined. On the other hand, they were so enraged against the marquis of Montrose, that they would have no communication with him. When the king found he could not bring them together to consult upon this subject, he declared however, he would not go into Scotland, and persisted in his resolution for Ireland. Thus, upon a bare information that Scotland would not receive him without conditions, he resolved to refuse the crown of that kingdom. And, what is more, he gave commission to the marquis of Montrose to raise forces in Germany, and make a descent upon Scotland. So, receiving with acknowledgment, the offer made him by the Scots, he ordered a war to be levied upon them, as upon enemies, because they refused to admit him for their sovereign, without a previous engagement. Nothing is more proper to demonstrate the necessity of the precautions taken by the Scots, though some historians are pleased to represent them as very unjust.

1649.

p. 232, 233.

The king declares against going into Scotland.

p. 233. Ludlow.

He gives Montrose a Commission to invade Scotland. Clarendon. III. p. 269. Warwick.

The king could not reside any longer in Holland, where it was intimated to him, that the dread, the states were under, of a quarrel with the new commonwealth of England, made his stay there very unwelcome. Besides, they received advice, the parliament was to send an agent, to propose between the two commonwealths a strict alliance: and the affair was not to be negotiated whilst the king remained at the Hague. This agent, named Dorilaus, arrived indeed before the king left the place. But the same evening that he came to the town, as he was at supper in his inn, with some other persons, six Scots of the marquis of Montrose's retinue entered the room, and dragging him from the table, murdered him. The assassins were neither

Clarendon, III. p. 228.

Dorilaus the English agent assassinated at the Hague.

May 3. Clarendon, III. p. 228,

arrested, 229.

Ludlow. Whitelock.

<sup>r</sup> He was doctor of the civil law, Leyden, but afterwards lived long in born at Delft in Holland, and bred at London, having been received into

1649.

arrested, nor immediately pursued; and though afterwards some pains were taken to apprehend them, the states showed on that occasion a great regard for the king, which offended the parliament. Nevertheless the king knew, after this action, there was no remaining at the Hague, and the prince of Orange advertised him, that he would be desired to depart. He therefore sent his heavy baggage and some of his domesticks to Ireland, with a resolution to follow them, after he had paid a visit to his mother in France. But as he was not yet ready, he prevented the ungrateful compliment he was to receive; by presenting himself to the states a memorial of the state of his affairs, and asked their opinion, whether he ought to go to Ireland or Scotland. The states observing he was about to depart, thought it not convenient to press him, and thereby he gained time to be prepared.

The king  
prepares for  
Ireland.

He presents a  
memorial to  
the states,  
Clarendon,  
III. p. 230.

Insurrection  
in Scotland.  
the offer from  
Scotland, the  
states of that  
kingdom were  
settling the  
terms on which  
he was to be  
received, not  
doubting his  
inclination and  
readiness to  
accept the  
offered crown.  
But he had  
friends in  
Scotland, who,  
better informed  
of his  
sentiments,  
resolved to  
disturb the  
publick  
deliberations,  
by an  
insurrection,  
in hopes that  
a happy  
success would  
cause the  
king to be  
admitted  
without any  
condition.  
With this  
view  
Middleton,  
Monroe, the  
Gordons and  
others, as-  
sembled some  
forces in the  
north, and  
seized the  
town of  
Inverness.  
But the  
parliament  
having before  
received  
intimation  
of their  
design, had  
already  
raised  
forces, which  
immediately  
marched to  
the north,  
under  
Straughan  
and Kerr,  
and  
dispersed  
the  
mutineers  
before they  
could  
assemble  
all their  
forces.

ibid.  
Whitelock.  
p. 386.  
Heath.  
Phillips.

Condition of  
affairs in  
Ireland.  
Clarendon,  
III. p. 249.  
Phillips.

Though the king had firmly resolved to go into Ireland, it was impossible for him to execute his design, by reason of the turn in his affairs in that island. After the parliament was become master of Dublin, it had been often moved in the house, to send a powerful reinforcement to Ireland: but the opposite interests of the presbyterians and independents hindered the taking any resolution. The first were for sending fir

Gresham college, as a professor in one of those Chairs, which are endowed for public lectures in that society; and had been from the beginning of the troubles, in the exercise of the judge advocate's office in the earl of Essex's army. The lord Clarendon says, they were Scots, and dependents upon the marquis of Montrose, that murdered

him. tom. 3, p. 229. But Whitelock says, that they were twelve English cavaliers who stabbed him in several places, and cut his throat, one of them saying at the same time, thus dies one of the king's judges. Whitelock, p. 401. Ludlow says, they were English and Scots, tom. 1. p. 291.

for William Waller to command there, and the latter were <sup>1649.</sup> ~~assembled~~ for major-general Lambert. The division between the parliament and army which arose quickly after, brought new obstacles to the affair. At last, the revolt of Wales, the insurrections in other counties, and the preparations of the Scots to invade England, discharged all thoughts of Ireland. If, in this interval, the Irish could have come to an union amongst themselves, and have joined the marquis of Ormond, they might have expelled the parliament's forces, and rendered themselves masters of the whole kingdom. But their divisions hindered them from improving so favourable an opportunity. It was not, as I observed, till the end of Clarendon, the year 1648, that they made peace with the marquis of <sup>III. p. 247.</sup> Ormond, and the opposition of O Neal kept the marquis from taking the field till April 1649, when the king was dead, and the government of England modelled into a commonwealth.

The union of the Irish with the royalists, the progress of the marquis of Ormond, the extreme weakness of the parliament's party in that nation, brought at last the house to a resolution of sending thither a good army, with all possible diligence. Waller, who was a presbyterian, was no longer considered as a proper general to serve the parliament; and Lambert, till then supported by Cromwell, was now supplanted by him. Cromwell believed, the government of Ireland was a post not unworthy of himself, and so managed by his intrigues, that he was unanimously chosen to fill the dignity of lord-lieutenant of that kingdom. But before his troops could be ready for that expedition, he had a difficulty to overcome, which might have had dangerous consequences.

Besides the cavaliers and presbyterians, the parliament had other enemies, who only waited an opportunity to declare and were in the army itself. These were the levellers, who were dissatisfied, for that after they had served as instruments to ruin the presbyterian parliament, they were not only disregarded, but even called seditious and rebels. This occasioned their assembling upon Cromwell's being appointed to command in Ireland, under a pretended necessity of enquiring what troops were proper to serve in that kingdom. To that end they met at Burford to the number of five thousand,

\* Or rather upon the parliament's wing, that eleven regiments, mostly consisting of levellers, should by lot be

chosen for the service of Ireland, Heath, p. 233.

Cromwell is made governor there. Clarendon, III. p. 249. Whitelock. Insurrections of the levellers, Clarendon, III. p. 280. Phillips. Heath, p. 233. Whitelock. P. 401, 402.

1649.

May 15.

thousand, and without any precaution continued there, pretending a promise from Cromwell, that no part of the army should approach within ten miles. But Raynolds, by the command of general Fairfax, unexpectedly fell upon them with five or six thousand men, and gave them an entire defeat. Nine hundred horse, and four hundred foot were sent prisoners to London, and some of them executed. Others obtained their pardon by Cromwell's mediation. This affair being thus happily ended, the army was prepared which Cromwell was to lead into Ireland.

The mar-  
quis of Or-  
mond un-  
successful in  
Ireland.  
Clarendon,  
III. p. 248.  
Bates.  
Phillips.  
Ludlow.

While this army was assembling, the marquis of Ormond approached Dublin to besiege it. Whereupon, Cromwell immediately sent about three thousand men to reinforce the garrison which was very weak. Mean while, as he believed he could not arrive soon enough to save that city, he resolved to land his army in Munster, where he hoped to find no obstacle, because he knew, the lord Inchiquin, president of that province, was departed with his English troops, to reinforce the army under the marquis of Ormond. But the marquis having notice of his intention, immediately dispatched the lord Inchiquin with the forces under his command to prevent his landing, by which he considerably weakened his army. He however continued his march, and began the blockade of Dublin about the middle of June. He stayed some time at Finglas, five miles from Dublin, in expectation of fresh troops, and at last passed the river, and posted himself at Rathmims, to lay the siege in form. While he was in this camp, the succours sent by Cromwell arrived in Dublin. A few days after, the marquis of Ormond resolved to repair an old castle, which by its situation was proper to hinder any fresh relief from entering the town. Then colonel Jones the governor, who from a lawyer was become a good officer, perceiving how much these fortifications might annoy him, resolved to prevent their being finished. For that purpose he put the garrison under arms in the night, and at break of day making a sally, marched directly to the castle, and carried it sword in hand. This success caused him to advance towards the enemy's camp. He met by the way a body of horse, which stopped him some time. But the body being dispersed brought such terror to the Irish army, that they fled in confusion without striking a blow. The marquis of Ormond was forced to follow them, for fear of falling into the hands of his enemies. After the defeat, he was obliged to retire to some distance, to wait for the succours he had been promised.

He lays siege  
to Dublin.

His army  
defeated.  
Aug. 2.  
Ludlow.

Cromwell

Cromwell informed of this good success whilst he was embarking his army, altered his design, and instead of going to Munster, failed to Dublin, where he safely arrived about the middle of August with about fifteen thousand men. When the marquis of Ormond knew that Cromwell was at Dublin, he retired to a still greater distance, and left in Drogheda a numerous garrison<sup>1</sup>, under the command of sir Arthur Aston, an officer of reputation, who had been governor of Reading, and afterwards of Oxford. About the same time Londonderry, the most considerable city in the north of Ireland, which was besieged by the king's forces, was relieved by a sally made by sir Charles Coot, much in the same manner as Dublin was by Jones<sup>2</sup>.

From what has been seen, it is manifest the king could not venture into Ireland, where he had no other succours to carry but his person, while Cromwell was assembling his army on the coast, and still less, after Ormond's defeat. But as, on the other hand, he was looked on with no good eye in France, where, since his arrival, the court had made him no offers of service, he resolved to withdraw into the isle of Jersey, as the only place where he could hope to be favourably received<sup>3</sup>. He retired therefore to that isle with his brother the duke of York and his small court, where he continued some months<sup>4</sup>.

The commotions raised by the king's friends in Scotland being appeased, the committee of estates assembled to prepare the conditions to be demanded of the king. It seems, they were not informed in Scotland of the king's sentiments, since they continued to deliberate upon that subject, which doubtless they would not have done, had they been acquainted with his resolution. In all probability, as the estates had not yet expressly invited him to come and receive the crown, he did not think himself obliged to communicate his thoughts to them, and if the envoys of the estates and council had received an answer from him, it was too general for any thing to be inferred from it. However this be, the committee of estates

1649.

Cromwell  
lands at  
Dublin.  
Phillips.  
Clarendon,  
III. p. 251.  
Bates.  
Ludlow.  
Phillips.

The king  
desists from  
his design of  
going into  
Ireland.  
Clarendon,  
III. p. 251,  
264.  
He retires  
to Jersey.  
September.  
Clarendon,  
III. p. 252,  
258.  
Phillips.  
Windram  
sent to him  
from Scot-  
land.  
Phillips.  
Clarendon,  
III. p. 265,  
266.  
Bates.  
Burnet's  
Hist. p. 51.

<sup>1</sup> Of three thousand foot, and two or three troops of horse. Clarendon, tom. III. p. 251.

<sup>2</sup> Rapin, by mistake, says, sir Richard Coot, but it was sir Charles, who was afterwards earl of Montrath.

<sup>3</sup> He had been lately proclaimed king there, by sir George Carteret the governor. Whitelock, p. 386.

<sup>4</sup> This year, upon information, that the Turkish alcoran was printing in

England, it was ordered, on March 10, to be suppressed. — May 8, the queen of Bohemia's pension of 12000 l. was suspended. — June 7, at an entertainment in the city, the earl of Pembroke refused to sit above mr. Whitelock, the senior commissioner of the great seal, saying, "As much honour belongs to that place under a commonwealth, as under a king." Whitelock, p. 390, 400, 406.

1649. estates having learned, the king was in Jersey, sent mr. George Windram to acquaint him, they were desirous to treat with him concerning his establishment in Scotland: but as the isle of Jersey was neither safe, nor commodious, he was desired to name some town in the Low Countries, where he might receive their commissioners. For that purpose, it was required of him as a preliminary, without which there could be no negotiation, to acknowledge the authority of the present parliament, and particularly of the two last sessions.

Windram left Edinburgh the 25th of September, but was not with the king till towards the end of October, being detained by contrary winds: so that the king was fully informed of what had passed in Ireland, where Cromwell having taken Drogheda by assault, had put the garrison to the sword, and was continuing his progress with wonderful rapidity. This news made the king look upon Scotland with another eye than before. He knew, he should be unwelcome both to France and Holland. From Ireland he was entirely excluded, nor could Jersey long afford him subsistence. Besides, he was told, the parliament had given orders for a fleet to reduce that island, which was not in a condition of defence. Scotland therefore was the only place where he could find safety and subsistence. For this reason, he received Windram very graciously, and named Breda for the reception of the Scotch commissioners, promising, he would be there the 15th of the following March. It was not however without some uneasiness that he came to this resolution. Besides his little affection for the Scots, whom he regarded as the principal authors of his father's misfortunes, not one counsellor advised him to put himself into their hands, though it was impossible to direct him to another retreat. So it was meer necessity which caused him to resolve to listen to the propositions the Scots were to make him. That this was his only motive, can hardly be doubted, when it is considered, that on the 30th of January 1649-50, he writ to the marquis of Montrose, that the Scots had sent Windram to him, and that their commissioners were to repair to Breda, in March to treat with him. Wherefore, he pressed him to hasten his preparations for a descent into Scotland before the affair should be settled, in order if it was possible, and should please God to favour him with success, to prevent the conclusion thereof.

Windram

y The earl of Clarendon says nothing of this letter from the king to the marquis of Montrose; but Phillips, Bates, and others, are positive that

Clarendon,  
III. p. 264,  
276.  
Phillips.  
Bates.

The king  
names Breda  
for the place  
to treat with  
the Scots  
commission-  
ers.  
Phillips,  
p. 593.  
Clarendon,  
III. p. 266.  
Burnet.

He writes to  
Montrose to  
hasten his  
preparations  
against  
Scotland.  
1640-50.  
Phillips.  
p. 593.  
Bates.  
Burnet,  
p. 52.  
Warwick.

Windram being returned with the king's answer, the committee of estates laboured incessantly to finish the propositions to be sent to the king. The draught was laid before the parliament, and after some amendments, ordered to be communicated to the general assembly of the kirk, where it was approved. Hence it appears, that these propositions were settled with the common consent, since they had the concurrence of both parliament and kirk, though some have been pleased to ascribe them solely to the marquis of Argyle, as if they were more agreeable to his interest than that of the kingdom. After that, the parliament and general assembly named commissioners to carry them to the king. These commissioners arrived at Breda at the time appointed<sup>2</sup>, and presented the conditions to him, on which the Scots would admit him to the exercise of the regal power. They consisted of these four articles:

1. That all those who have been, and continue excommunicate by the kirk of Scotland, may be removed from having any access to the court.
2. That he would be pleased to declare, that he would by solemn oath under his hand and seal, allow the national covenant of Scotland, and the solemn league and covenant of Scotland, England and Ireland; and that he would prosecute the ends thereof in his royal station.
3. That he would ratify and approve all acts of parliament, enjoining the solemn league and covenant, and establishing presbyterian government, the directory of worship, the confession of faith and catechism in the kingdom of Scotland, as they are already approved by the general assembly of the kirk, and by the parliament of that kingdom, and that he would give his royal assent to the acts of parliament enjoining the same in the rest of his dominions, and that he would observe the same in his own practice and family, and never make opposition therein, or endeavour any change thereof.
4. That he would consent and agree that all matters civil might be determined by the present and subsequent parliaments of the kingdom of Scotland, all matters ecclesiastical by the ensuing general assemblies of the kirk, as

Conditions presented to the King by the Scotch commissioners. Phillips, p. 595. Clarendon, III. p. 267. Bates. Whitlock.

was

<sup>1</sup> It was writ. Rapin. — The lord Clarendon owns, the king had given the marquis a commission to raise a force together. See tom. III. p. 269. And Warwick's Mem. p. 355.

<sup>2</sup> The commissioners from the es-

tates were, the earls of Cassils and Lothian, the lord Burley, and sir John Windram; and those from the kirk were, Leviston, Wood, and Broady. Phillips, p. 594.

1649. was formerly condescended and agreed to by his late father.

After hearing these conditions, the king demanded, whether these papers they had delivered to him, contained all the particulars which they had to propound or desire? Whether they had power to recede from any particular article, or to treat with him concerning the assistance of Scotland, to place him on the throne of England? They answered, their commission extended only to the offering of these propositions, and to receive either his consent or refusal.

Reflections  
upon these  
propositions.

These conditions, which to the Scots appeared very just, lawful, and absolutely necessary for the safety of Scotland, seemed to the king very hard and unreasonable. This contrariety will not appear strange, if it is considered, that the king and the Scots reasoned upon different principles, and with opposite views. And this it will not be improper to unfold.

The people of Scotland were persuaded, they had been oppressed by James VI. in the establishment of episcopacy in Scotland by that prince, which had been abolished by the reformation: that this had been effected by address, by artifice, by violence, whilst corrupt parliaments were employed to enact new laws concerning religion, without consulting the kirk, contrary to her will and express declarations: that Charles I. by a fraud supported with force, had invested himself with a power of ordaining whatever he pleased in matters of religion, by virtue of an act supposed by him to be granted by a plurality of voices, though it was rejected: that by this pretended power, he had not only restored bishops to their revenues and government in the church, but also given them a jurisdiction more extensive than ever: that he had established a high commission to support that injustice, and entirely suppressed the general assemblies. In a word, that he had changed the presbyterian government, established by the reformation, into an hierarchy, exactly like that of the church of England: that he had also attempted to impose upon them a liturgy and canons, unknown to their ancestors, and to reduce the worship of the church of Scotland, to a perfect conformity with that of England: that the people of Scotland, for their own preservation, and the maintenance of their rights, so manifestly invaded, had judged it proper to unite in a covenant, intended for the preservation of the king's just rights and the privileges of the people and kirk: that the king, not contented with what of right belonged to him, had twice made war upon his Scotch subjects to maintain

1649.

tain his usurped power, and render Scotland dependent upon England: that the war had been ended by a treaty, to which the king would not have consented, if he had not been forced to it by the affairs of England: that after the treaty he came into Scotland, where he granted his subjects whatever they demanded, and even those things which before he had haughtily and obstinately refused: that therefore it was to be suspected, he had only accommodated himself to the times, till a favourable opportunity offered, to revoke his concessions: that it was not strange the Scots should entertain that suspicion, since the king, by the same conduct in England, had destroyed all confidence in him: that it was therefore absolutely necessary to reduce him to a state, which would remove all danger of his retracting: that to this end, the Scots had made with the English a solemn league, as having the same common interest, and that the sword had decided in favour of the allies against the king: that notwithstanding the decision, the Scots had never thought of withdrawing from the obedience due to the king, but only of obtaining other security than his bare word: that the tragical death of Charles I. had not changed the state of affairs in Scotland, or procured them the so long desired security: that they required no more of the new king, than they had a right to demand of his father: that their desires were not unjust, since they expected only to be maintained in the state, which they enjoyed before the two last kings had attempted to alter the established religion according to their caprice, and the pleasure of their English counsellors: that they had run all hazards to restore themselves to the condition from whence they were fallen: that God having granted them a happy success, they saw no sufficient reason to oblige them to desist, and expose their repose and religion to the caprices of a young prince, who was known to be of the same sentiments and principles as his father and grandfather: that the conditions offered him, limited not his prerogative as king of Scotland, but only put it out of his power, to tread in the steps of his father: that in offering him the crown of Scotland, it was lawful to require, that he should govern according to the true interest of the kingdom: that if these conditions appeared to him contrary to his interest with regard to England, he was at liberty to reject them; but his interest with respect to England, was not a good reason to engage the Scots to venture their happiness, in leaving him to govern as he pleased: that it was not yet fifty years since James VI. became king of England, and that Charles I. having lost that crown

by

1649. by his ill conduct, and Charles II. being utterly unable to recover it, he ought to esteem himself happy, that his Scotch subjects had offered him the crown of his antient kingdom, on the same terms it had been enjoyed by his ancestors for many ages; and that in becoming a good Scotsman, he would be restored to what his predecessors, kings of Scotland, had formerly been: that it was not reasonable to suffer persons excommunicate, and conspirators against the state, in attempting, by force, to restore the late king, to approach the new king with their pernicious counsels, tending to sow division between him and his subjects.

Reasons and  
interests of  
the king.

But the king reasoned upon other principles. The offer of the crown of Scotland was no farther regarded by him, than as a means of restoring him to the throne of England; that was the principal object of his attention. He little cared to be king of Scotland, if he could not use the forces of that kingdom to procure him the English crown. Mean while, his power was to be so limited that it should not be possible to receive any advantage from Scotland to that end. Those who were esteemed by him as his best friends, and had used their utmost endeavours to free his father and restore him to the enjoyment of his rights, were to be removed from his person and council, and yet these were the men he designed to employ for the recovery of England. In accepting the crown of Scotland, he was to forget, he had any just claim to England; he was to govern Scotland as his ancestors governed it before their accession to the English throne; that is to say, he was to look upon his English friends with continual distrust, and consequently renounce all hope of a re-establishment in England. He was to swear to the national covenant, made against the king his father, the intent of which was to prevent for ever the introducing the church government and worship of England into Scotland, which alone in his opinion were lawful. He was to swear to the covenant of the two kingdoms, the sole design of which was to maintain presbyterianism already established in England, which was an infallible way to make him lose all his friends. He was, lastly, not only to approve and protect presbyterianism in the two kingdoms, but also promise a sincere and constant profession of it himself. But this was directly contrary to his sentiments and conscience, since he hardly believed the presbyterians to be any part of the christian church.

Hence

Hence it appears that the interests of the king and those of the Scots were no less opposite than during the life of Charles I. and that the same difficulties still subsisting, could be surmounted only by the arms or acquiescence of one of the parties. The king was unable to use force, and yet the terms to be imposed upon him appeared so hard, that he would have immediately rejected them, if he could have taken any other course. But his melancholy circumstances, not knowing where to subsist or even to be safe, obliged him, though very unwilling, to dissemble his resentment, and to treat with the Scotch commissioners upon propositions which to him seemed most unjust. There were two articles which he could not digest. The first was, the obligation to swear to the covenant. He said, the covenant was made for the subjects, and not for the prince, since the taker swore to be faithful to the king, and it was absurd to make him swear allegiance to himself. This objection would have been unanswerable, had the covenant contained only this article. But there were others, in which it was said, the king was no less concerned than his subjects. The second related to religion. He was willing, he said, to consent to the establishment of presbytery in Scotland by act of parliament: but, as to his own person, he could not with justice be required to renounce the religion for which the king his father had died a martyr; however, he would content himself with only three chaplains to celebrate divine service in his presence after the manner of the church of England. But all he could allege was ineffectual; the commissioners had not power to recede from any article. Thus had the parliament of England offered to treat with his father, without leaving him other liberty than to accept or refuse their propositions. But though the king perceived it would be to no purpose to dispute upon the articles, he desired however to prolong the negotiation as much as possible, in hopes of good news from Scotland, where he knew the marquis of Montrose would shortly make his appearance. This was his last refuge; and had the marquis been attended with his former success, the treaty of Breda would soon have ended, since it was in the king's power to reject absolutely the offered conditions. But the marquis's progress did not answer the king's expectations.

After that lord had left the king at the Hague, he went into Germany to endeavour to raise forces and money, the king having only given him a bare commission without other assistance. The king of Denmark, as Charles's near relation,

1649.

The king dissembles his resentment.

Clarendon, III. p. 26 Phillips. Burnet.

Forms difficulties upon the covenant and religion as they related to his own person. Clarendon, III. p. 267. Phillips, p. 595.

The commissioners will not recede.

Are amused, by the king. Phillips.

The progress of the marquis of Montrose in Germany.

1650. execution of that lord, during the negotiation, affirming it to be a breach of faith. He writ in the same strain to the committee of estates, but was silenced by their answer, and told, it would be much better not to insist upon that affair.

The answer  
of the states.

The answer imported, that papers were found upon Montrose, which it was more for his honour to conceal than to publish. The king easily understood, that by this was meant his commission to the marquis after the news of his being proclaimed, and his letter of the 30th of January, after the time and place of conference were fixed. This justified the parliament of Scotland from breach of faith, of which he himself was not entirely guiltless.

The king  
signs the  
treaty.  
June.

The death of Montrose leaving the king without refuge or retreat, he at last accepted the conditions presented to him by the commissioners. Only the signing of the covenant was deferred till his arrival in Scotland, upon his promise however of compliance, in case it was judged proper to press him when he should be at Edinburgh. The commissioners were willing to grant him this favour, knowing, the estates would never desist from that article. It is certain, the king submitted to these conditions only because he had no other course to take, and it is, perhaps, no less certain, that he meant to observe them but whilst he should be forced. This plainly appears in the history of those times, penned by the king's adherents. For they could not forbear to think it strange that the king, when in Scotland, should be obliged to a strict observance of what he had promised by oath. As if his promise and oath had been only formalities, which were not to bind him.

He embarks  
in Holland  
for Scot-  
land.  
June,  
Phillips.

Arrives  
there,  
June 16,  
and is ob-  
liged to sign  
the cove-  
nant.

Clarendon,  
III. p. 285.  
Hamilton  
and Lau-  
therdale  
conceal  
themselves.

When the king had signed the conditions, he went to Scheveling near the Hague, and embarked, being attended by duke Hamilton, the earl of Lautherdale, and some other Scots, who gave him hopes that his presence in Scotland would remove all suspicions, and that an exact observance of what he had promised would be dispensed with. But at his arrival, before he was suffered to land, the covenant was so pressed upon him, that he could not avoid taking it. He had positively promised it at Breda, and no man durst advise him to break his word. This strictness of the estates convinced duke Hamilton and the earl of Lautherdale, that it was not safe for them to appear publicly in Scotland. Wherefore, finding means to land with the king, they retired to their own estates, or their friends, in expectation of a more favourable juncture.

The

The marquis of Argyle received the king with extraordinary reverence and outward marks of respect. But within two days, all his English domesticks were removed, except the duke of Buckingham. Some were obliged to return into Holland, others withdrew at a distance from the court, to friends who were willing to entertain them. This rigour at first appears very strange, and by some is so represented. But it must be considered, the Scots were for receiving the king on those terms only, on which they would have admitted his father, had he happily escaped from captivity, and retired into Scotland. Certainly they would never have suffered about him, men whose principles and maxims were directly opposite to the interests of Scotland, and who were the kingdom's reputed enemies. Why then were they to repose more confidence in Charles II? Precaution was not more necessary under the last, than under the present reign.

1650.

The manner of the king's reception.  
Id. p. 286.  
Burnet's Hist. p. 53. and Mem. Reasons for

When the friends and confidants of the king were thus removed from his person, he saw himself in the hands of men whom he knew not, and whose principles were entirely different from those in which he had been educated; so that he was extremely uneasy, though outwardly he received all the respect due to his rank. What troubled him most, was the importunity of the ministers, who thought it their duty to instruct him in the presbyterian religion, and scrupled not to brand the hierarchy and worship of the church of England with the name of doctrine of devils. They pretended, the king's promise and oath to profess presbyterianism obliged him to receive their instructions. His embarrassment on this occasion was a natural consequence of the promise he had made, without intending to keep it. To be rid as well as he could of this trouble, he was present at their sermons and prayers, but with so little attention, that it was plainly against his will. The reluctance he shewed upon this article bred in the Scots a very ill opinion of him, being persuaded, he had sworn against his conscience, and with an intention to break his promises when freed from restraint. It ought not therefore to seem strange, that they had no confidence in him, and that those who were at the helm, imparted not to him all the affairs. He was not considered as a prince attached to the interests and religion of the kingdom, but as intending to establish other maxims if it was in his power.

The king under great difficulties in Scotland.  
Clarendon, III. p. 286.  
Bates.  
Burnet, t. I. p. 53.

He discovers his disposition with regard to religion, and loses the confidence of the Scots.

C 3

But

c Bishop Burnet says, that in one fast day there were six sermons preached before the king without intermission:—And adds, the great

rigour the kirk used towards him, contributed not a little to beget in him an aversion to all sorts of strictness in religion. Tom. I. p. 53.

1650. But if the transactions of some years past, and the occasion of the troubles, be considered, it will not be thought so strange, that the Scots took precautions with regard to their new king, and refused him a confidence, which in that juncture, appeared to them very dangerous.

Aims to re-  
establish the  
Hamiltoni-  
ans.

Clarendon,  
III. p. 306,  
397.

It was quickly perceived how necessary these precautions were, by the king's endeavours to reconcile to the state and the church, those who had entered into the late duke Hamilton's engagement to raise an army, which under colour of acting against the independents, was designed to restore the late king to the throne of England without any condition. The authors of that design had thereby plunged Scotland into a war not only unnecessary, but directly contrary to her interests. Besides, their ill conduct had occasioned the loss of a numerous army, and a great effusion of blood. What might not the Scots have added in aggravation of the crimes of the Hamiltonians, had they known the secret treaty made with the late king in the Isle of Wight, so contrary to the covenant of both kingdoms? It is not therefore strange, that men who had acted with views so opposite to the interests of the kingdom, or at least of the prevailing party, were regarded by that party as enemies of the state and religion. And yet these were the men for whom the king laboured so strenuously, under the pretence of procuring a happy union amongst his subjects. But at the same time he clearly discovered his aversion to the maxims by which Scotland was then governed, and his intention to enable his friends to oppose the marquis of Argyle, who was the head of the contrary faction and of the government. That lord easily fathomed the king's design. And therefore, whereas he had hitherto constantly attended him, he gradually withdrew himself from him, as from a secret enemy who only waited an occasion to ruin him.

Argyle di-  
fruits the  
king,

Clarendon,  
III. p. 287.

Resolution  
of the Eng-  
lish parlia-  
ment against  
Scotland.  
Id. p. 292.  
Phillips,  
p. 460.

While these things passed in Scotland, the parliament of England were not idle. When they learned that commissioners from Scotland were to confer with the king at Breda, they imagined, Charles would accept the crown of Scotland on any terms, in order to use the forces of that kingdom to invade England, in which they were not mistaken. This war, which the parliament deemed unavoidable, could not but be very dangerous to the independent party, if it was brought into England. The independents, though uppermost, had no support but the army, with the presbyterians, the royalists and the city of London for their enemies. It was therefore very likely, that if the king entered England

with

with a Scotch army, he would be joined by the royalists, and favoured by the presbyterians. To prevent therefore this danger, the parliament resolved to carry war into Scotland. This resolution was founded entirely upon policy, forasmuch as the parliament had no cause to complain of the Scots, who in recognizing for their sovereign, the eldest son of their late king, did not injure England. Nay, it was a consequence of the covenant between the two kingdoms, though manifestly violated by the English parliament. But on this occasion, the parliament believed themselves not bound to a scrupulous observance of the rules of equity, for fear of the prejudice with which such scruples might in time be attended. Interest therefore was solely regarded, which required, that the war should rather be carried into Scotland than expected in England.

After this resolution, Cromwell was hastily recalled out of Ireland to take the command of the army which was to act against Scotland. In the late Scotch invasion under duke Hamilton, the behaviour of general Fairfax had given occasion to judge, that he would unwillingly accept of the conduct of the new war, which was really the case. Cromwell's success in Ireland had been such as the parliament could have wished. After the taking of Drogheda, he seized Kilkenny and many other places, and in a little time reduced the greatest part of the island to the obedience of the parliament. The marquis of Ormond was little capable of resisting him, because of the division still reigning amongst the Irish. This division went so far, that O'Neal had at last concluded a treaty with Monk, one of the parliament generals, commissioned by the council of state. But the parliament refused to ratify the treaty as being too favourable to the catholics, and therefore O'Neal had begun to treat with the marquis of Ormond, and was upon the point of joining him, when his death prevented the execution of his design. His troops dispersing upon his death, were of no advantage to the marquis of Ormond. In the mean time, Cromwell continued his conquests with surprising rapidity, and to prevent the agreement and junction of the Irish amongst themselves, he thought of an expedient which succeeded. He published by proclamation a permission to all the Irish officers to list, in the service of foreign princes, what soldiers they pleased of their own nation, with a promise to give them no disturbance or molestation. More than twenty five thousand immediately chose to serve France and Spain.

1650.

Cromwell

recalled from Ireland.

Whitelock, p. 450.

Clarendon, III. p. 292.

Ludlow.

His conquests in Ireland.

Clarendon, III. p. 276.

277.

Division amongst the Irish.

Dates.

Clarendon, III. p. 334.

III. p. 334.

The death of O'Neal.

the Irish rebel.

The death of O'Neal.

the Irish rebel.

Cromwell permits the Irish to list.

in foreign service.

Clarendon, III. p. 277.

III. p. 277.

1650. Spain, and afterwards a much greater number<sup>d</sup>. This precaution prevented the marquis of Ormond from bringing an army into the field capable to resist that of the parliament. So, when Cromwell was recalled, the Irish affairs were in so good condition, that his son-in law Ireton, whom he left there as his lieutenant, had but little to do.

We leaves  
Ireton in  
command of  
Ireland.

June 4.

Bates.

Clarendon,

III. p. 292,

333.

Whitelock,

p. 457.

Clarendon,

III. p. 292.

Ludlow.

Cromwell being returned to London, took his seat in the parliament, where, by order of the house, the speaker thanked him for his late services. After that, the Scotch war being the most pressing affair, the parliament caused Fairfax to be asked, whether he would take upon him the conduct of the war? He replied, if the Scots entered England with an army, he would endeavour to repel them; but desired to be excused from attacking them in their own country. Some endeavours were used to convince him of the justice and necessity of the war, but without any success. Cromwell acted his part so well, that though he passionately wished to be commander in chief, he gave his opinion in favour of Fairfax, and pretended he should be well satisfied to serve as his lieutenant. Fairfax perceived that being a presbyterian (though he had but too faithfully served the independents) the parliament would have had no great confidence in him, and that the zeal shewn on his behalf was only ceremony. He therefore sent his commission to the house, which was cheerfully received, and an annual pension of five thousand pounds was settled on him in acknowledgment of his services. Immediately Cromwell was declared general of the armies of the commonwealth, and his commission presently dispatched<sup>e</sup>.

Fairfax  
resigns the  
general-  
ship, and is  
succeeded by  
Cromwell.  
June 26.  
Ludlow.  
Whitelock,  
p. 462.  
The parlia-  
ment's ma-  
nifesto.  
Id. p. 464.  
Phillips.  
Bates.

While the army, which was to act against Scotland, was raising, the parliament appointed a committee to draw up a manifesto, concerning the intended war. This precaution appeared

<sup>d</sup> The lord Clarendon observes, that Cromwell found a way to send above forty thousand men out of that kingdom, for the service of foreign princes; when the marquis of Ormond, notwithstanding all the promises, obligations, and contracts of the Irish with him, could not draw together a body of five thousand. Tem. III. p. 280.

<sup>e</sup> Whitelock says, the lord Fairfax being advised with, seemed at first to like well of carrying the war into Scotland, but afterwards, being hourly persuaded by the presbyterian ministers, and his own lady, who was a great patroness

of them, he declared it was against his conscience. Whereupon the council of state appointed Cromwell, Lambert, Harrison, St. John, and Whitelock, to confer with Fairfax, and endeavour to satisfy him of the justice of the undertaking. Whitelock gives us the conference at length in his memorials; wherein, though Cromwell and the rest of the soldiers were very earnest with him not to lay down his commission; yet, says Whitelock, there was cause to believe, they did not much desire he should continue. Mem. p. 460—462.

appeared the more necessary, as the house was not ignorant, that the cavaliers and presbyterians would industriously represent this war, as the most unjust that ever was, since the Scots had given no provocation. The committee employed about the manifesto, being unwilling to publish the true reason of the war, namely, to support the independents, contented themselves with supposing, that the Scots designed to force the English to acknowledge king Charles II. though hitherto they had not moved one step towards it. It was nevertheless, very likely the king would attempt to engage them in a rupture with the English parliament; but there was no probability of success, considering his manifest aversion to become a good presbyterian. 1650.

The Scots hearing of the preparations against them in England, raised an army with all possible diligence<sup>f</sup>, and gave the command to general Lesley, not daring to trust the king for the reasons above-mentioned. He was even suffered to see the army but once, for fear of gaining the officers and soldiers by his intrigues. David Lesley formed his camp between Leith and Edinburgh, and fortified it with such intrenchments, that he was not to be attacked without manifest danger. The Scots raise an army under Lesley. Clarendon, III. p. 292, 293. Phillips. Whitelock.

About the middle of July, Cromwell put himself at the head of the English army, consisting of eighteen or nineteen thousand men, and marched to the frontiers of Scotland, where he published his manifesto. As the enemy's army lay encamped near Edinburgh, he entered Scotland without any difficulty. But he found the country destitute of inhabitants, and every thing capable to subsist his army conveyed away; so that he was obliged to maintain it with supplies from his fleet. He advanced, however, and came in sight of the enemy's army; but found it too well intrenched to be attacked. He chose therefore to retire towards Musselborough, whereupon Lesley detached a large body of horse, which fell upon the English rear, commanded by Lambert, with some advantage<sup>g</sup>. The day after, there was a sharp skirmish, in which the Scots beat some English regiments; but at last were repulsed to their camp with considerable loss. Then, Cromwell once more attempted, by his Cromwell enters Scotland. July 22. Whitelock. Clarendon, III. p. 293. Phillips. Skirmishes between the armies. August. Phillips. Whitelock.

<sup>f</sup> Consisting of six thousand horse, and sixteen thousand foot. Phillips, p. 600. Thirty six thousand men in all, says Whitelock, p. 466.

<sup>g</sup> August 26. In a skirmish, one of the Scots fired a carbine at Crom-

well; upon which Cromwell called out to him, and said, "If he had been one of his soldiers, he would have cashiered him for firing at such a distance." Whitelock, p. 469.

1650. his approach, to draw the Scotch army out of their intrenchments, but his endeavours were fruitless. At last, after the two armies had remained almost in sight several weeks, Cromwell, for want of provision and forage, was forced to retire. His design was to embark his foot, and return into England with only his horse. To execute this resolution, he marched towards Dunbar, where his fleet expected him, his army being much diminished, and reduced to about twelve thousand men.

Ladlow.

He marches

to Dunbar.

Clarendon,

III. p. 293.

The Scotch

army pur-

sues him.

Septemb. 1.

Whitelock.

Clarendon,

III. p. 293.

Whitelock,

p. 471.

Burnet,

p. 54.

Battle of

Dunbar,

Septemb. 3.

Whitelock,

p. 470.

Clarendon,

III. p. 293.

Phillips.

Bates.

Ludlow.

The Scots, advertised of Cromwell's resolution, imagined the English were seized with terror, and that a more favorable opportunity could not offer, to fight them, and therefore they left their camp to follow them closely. The first day, they encamped upon a hill, about a mile from Dunbar, so that it was impossible for Cromwell to embark his foot, without exposing himself to the danger of a defeat. General Lesley was not for attacking the English, but only for watching an opportunity to engage them with advantage. But the clamours of the ministers who were in his army, and promised a certain victory, as if by some revelation<sup>1</sup>, obliged him the next Day to draw nearer to the enemy. Cromwell, who observed them with a perspective glass, seeing them descend the hill, cried out, "that God had delivered them into his hands." He immediately went to prayers, and then told some of his officers, that he had felt, in praying, such a repose in his mind, that he doubted not but God would give him the victory. Perhaps this was his real belief, or else an artifice to inspire his soldiers with courage, who were most of them fanatics. The two armies remained in sight all the rest of the day, Lesley still alledging some excuse to delay fighting. But in the night, Cromwell resolved to attack the Scots at break of day. It was his frequent and ever successful maxim, not to expect, but attack the enemy, without any regard to number, being persuaded, the assailants have always a great advantage.

This resolution being taken, he drew up his army in the night, and, not to be prevented, begun the fight an hour before day. The Scotch cavalry on the right wing behaved well at first, but were at last put to flight. The left wing fled, without charging once. Three regiments of Scotch infantry fought with such bravery, that they were almost all slain

<sup>1</sup> h August 26. Cromwell sent word in a letter, that the Scotch ministers in their prayers said, "that if God will

" not deliver them from the sectaries, " he shall not be their God," Whitelock, p. 465.

slain on the spot, without offering to fly. The rest seeing themselves deserted by the horse, fled in confusion, leaving the field, and an undoubted victory to the English. It is said, the Scots lost three thousand men<sup>i</sup>, besides seven or eight thousand prisoners, with twenty seven pieces of cannon; and that the English lost but three hundred. The Scots after their defeat, abandoned Leith and Edinburgh, of which Cromwell made himself master, but the Castle of Edinburgh held out till the end of December.

1650.

The Scotch  
army de-  
feated.

This misfortune to the Scots was advantageous to the king, as it obliged them to alter their behaviour to the Hamiltonians. When the army lately defeated at Dunbar was raised, great care was taken not to admit any who had been concerned in the engagement of the late duke Hamilton, or were suspected to be of the king's party. In a word, the rigid presbyterians, who were then at the head of affairs, would have no society with those whom they called the luke-warm, that is, men who were not sufficiently zealous for the covenant. After the defeat at Dunbar, a new army was to be raised, to oppose Cromwell, who threatened Scotland with entire ruin the next spring. The parliament was therefore convened at St. Johnstoun's, where the king had retired<sup>k</sup>. But as a new army was not easily to be formed of the zealous, it was proposed in parliament, to receive into this, those who had hitherto been called luke-warm, and who offered their service to their country in its present distress. This affair being debated, the parliament was forced to resolve, that all who had been excluded from places, should be allowed to produce proofs of their repentance, and then be employed in the service of their country. In consequence of this resolution, those who had till then opposed the marquis of Argyle, who had wanted zeal for the covenant, who had shewn an inclination for the king, who had ever been employed by Charles I. readily gave outward marks of their repentance, in a disavowal of their past conduct, and a reconciliation with the kirk. After that they were admitted, as well into the parliament as to public employments, and especially to posts in the army to be raised.

The Hamil-  
tonians ad-  
mitted to  
employ  
under condi-  
tions.Clarendon,  
III. p. 292,  
294.Phillips.  
Bates.  
Whitelock,  
Burriet.

P. 55.

<sup>i</sup> Between five and six thousand, says the lord Clarendon, tom. III. p. 294. In Whitelock, it is said, there were few thousand killed in the field, and in the pursuit. The English army consisted of twelve thousand, and the Scots of twenty seven thousand men.

Mem. p. 470.

<sup>k</sup> In this parliament, the king made a speech, on January 25, expressing much joy, "that he was the first covenanted king of the nation." Whitelock, p. 485.

1650. raised. Hence the king at last obtained, what he had so passionately desired, namely, to see those who were attached to his interests, in a condition to serve him, when occasion should offer.

A protesta-  
tion against  
their admis-  
sion.  
Phillips.  
Burnet's  
Hist. p. 55.

But the resolution of the parliament, of which necessity had been either the motive or the pretence, was not agreeable to all. The zealots could not bear the admission of malignants (as they called them) to employments, under colour of a resolution obtained from the parliament by intrigue and cabal, in the same manner as the levying an army had before been obtained, to serve against the interests of Scotland. They said, it was mocking God, to receive the guilty to a hypocritical repentance, in order to re-admit them to employments, from which they had been justly excluded. But it was answered, it was strange cruelty to remove from employments, men who offered their service to their country, at so critical a juncture, and had professed a repentance, for not

Two parties  
formed in  
Scotland.

having been sufficiently zealous for the common cause. In a word, the first protested solemnly against the resolution of the parliament, and formed a party called the protestors, whilst those who adhered to it formed another, called the

Five counties  
protest.

resolutioners. Five western counties joined the protestors, and entering into an association, published a remonstrance, which being offered to the parliament, was voted seditious. But this did not hinder several officers of reputation, as Straughan, Kerr, and some others, from adhering to the party of the protestors.

Reflections  
upon the re-  
solution of  
admitting  
the Hamil-  
tonians.  
Clarendon,  
III. p. 308.

It is certain, if the people of Scotland had been consulted, this resolution had never passed in the parliament. The people were so attached to the covenant, that there was no likelihood of their departing from their rigidity at once, in favour of persons who had not subscribed it, or scrupled to violate it. It is therefore very probable, this resolution was owing to the artifices and cabals of the enemies of Argyle, on pretence of the necessity of raising new forces. Nothing is a clearer evidence of its being contrary to the general sense of the people, than the condition of professing a repentance, required of all who were to be admitted to any employment. This shows a condescension for the people, who were persuaded, that a luke-warmness for the covenant, was the most heinous of crimes. Accordingly, it was publicly said, that the defeat at Dunbar was the just punishment of having

Phillips,  
p. 601.  
Bates.

having called in the king, before any proofs were given of his repentance. This was the most general sentiment, though the parliament had decided the contrary. But neither in Scotland nor England are the resolutions of parliament to be always considered, as the sense of the nation. It is a defect in the constitution of both the states, that the members of parliament receive no instructions from their electors. The moment they are met, they become masters and sovereigns of those by whom they are chosen, and palm upon the nation their own decisions for those of the publick, though they are often contrary to the sentiments and interests of the people represented. Instances are so frequent, that I need not stay to prove what I advance.

1650.

The managers of this affair in the parliament, knew, that the party of the protestors was much more numerous than that of the resolutioners. Wherefore, it was thought convenient to give an appearance of satisfaction to the former, to prevent their obstructing the designs formed in favour of the king. Their project was, to put the king at the head of an army, almost wholly at his devotion; that he might, upon occasion, march into England, where it was not doubted, he would find many friends, and a powerful assistance. The rigid presbyterians were therefore not to be alarmed at seeing the king in the head of the army, for fear of their concerting measures to hinder the execution of the project. For this purpose it was thought proper, that the king should publish a declaration of a strange nature, where he was made to speak a language agreeable to the sentiments of the people, but very contrary to his own. In the declaration, "he owned the sin of his father, in marrying into an idolatrous family: he acknowledged, the blood shed in the late wars lay at his father's door: he expressed a deep sense of his own ill education, and the prejudices he had drank in against the cause of God, of which he was now very sensible: he confessed all the former parts of his life to have been a course of enmity to the work of God: he repented of his commission to Montrose, and of every thing he had done that gave offence: and with solemn protestations he affirmed, that he was now sincere in his declaration, and that he would adhere to it to the end of his life, in Scotland, England, and Ireland." When this declaration was offered him to sign, he appeared at first bent to reject it; saying, "that if he passed it, he could never look his mother in the face." But upon a representation of its absolute necessity to gain the confidence

The king's  
strange de-  
claration.  
Burnet's  
Hist. p. 56.

of

1650. of the professors, without which he could never execute his designs, he swallowed the bitter pill, and the declaration was published.

**Disappointed in his expectations from Burnet.** This declaration procured not all the advantage the king was made to expect. No man could believe he had voluntarily signed a paper so scandalous, and so prejudicial to the memory of his father. The professors, on the contrary, imagining, he concealed some deep design in this strange proceeding, united still more closely against him, and at last declared, they would have no communication with the resolutions, nor with Cromwell and the independent party in England.

**The king's flight. Clarendon, III. p. 307. Burnet, p. 57. Phillips, p. 601. Bates.** Charles was extremely troubled, to see that his declaration produced no other effect, than the loss of the confidence of both parties, and of his own reputation. It was universally believed, so scandalous a dissimulation was intended to deceive the people. At last, this false step, taken so contrary to his own opinion, joined to the sad life he had led, made him listen to propositions offered by some of his friends in the highlands<sup>m</sup>, who would receive no employ at the price of an hypocritical repentance. These gentlemen sent a message to him, that if he would come and head them, they would send to a place appointed, a good body of troops to receive him. Dr. Frazier, Charles's physician, was the conductor of this intrigue, and took care to convey the letters. The king therefore consented to join the malecontents, being extremely desirous to withdraw from the presbyterians, who had put so many hardships upon him. He had prepared a declaration, shewing the ill treatment he had received from the marquis of Argyle, and the cruel servitude in which he had been held since his arrival in Scotland. The duke of Buckingham, having discovered this secret, by letters left upon the king's table, informed the marquis of Argyle, who would not believe the execution of the project was so near. Nevertheless two days after, the king withdrawing from St. Johnstown, repaired to the place appointed, where he found only a very inconsiderable body, instead of the good number of troops he had been promised. But while he was deliberating what to do, the committee of estates dispatched major-general Montgomery to him, who very rudely pressed his return to St. Johnstown, to which he at last consented, believing, doubtless, that

**Phillips, p. 602. Burnet. Bates. Is brought back,**

<sup>m</sup> The Marquis of Montley, the earls of Arhol, and Seaforth, the lords Ogleby, Gordon, and Middleton, &c. Bates. p. 111.

that those who had wished him among them, were not in 1650.  
to good a condition to receive him, as they had made him believe".

This design, however imprudent, produced a good effect for the king, though withal, it lost him the confidence of the presbyterians, who saw plainly, his heart was not with them, and that he little regarded his promises at Breda. Mean while, the marquis of Argyle, and the Committee of estates perceived, a too great rigour might throw the king upon desperate resolutions, and, in the present juncture, great disorders might happen, if the king should desire to head the malecontents. This procured him better treatment, and a larger share in the publick affairs. The king, on his part, saw also, he should never be easy in Scotland, or able to execute his designs, without the assistance of Argyle, who was at the head of the kirk party. He therefore courted him extremely, making him great offers, and even talking of marrying his daughter. But the marquis, knowing his sentiments, looked upon these offers as so many snares, and was upon his guard, though he outwardly paid the king all due respect. The lord Lorn his son, captain of the king's guards, did him many services, and privately brought to him those persons, whose company he desired \*.

At last, the king was crowned at Scone, the first of January 1650-1, and from that day all persons had access to him. After this, the Scots were wholly intent upon raising an army, into which all who desired it were received with-

and better treated.  
Phillips.  
Burnet.  
Clarendon,  
III. p. 307.

He caresses  
Argyle.  
Id. p. 308.  
Burnet,  
p. 57.

The king  
crowned in  
Scotland.  
Burnet,  
p. 57.

a This sudden withdrawing of the king's, was afterwards called, the Short. Clarendon, tom. III. p. 307.

o In the course of this year, (on March 15,) died John Williams, archbishop of York, formerly lord-keeper; and the learned antiquarian sir Simon de Pwys. As also, October 27, William prince of Orange, father of the late king William III.—This year, the English merchants were commanded by the Earl of Newcastle, to depart his dominions, and not come thither, unless in the king's name, and by his patents; and this was fomented by the Dutch.—Five drunkards in Berkshire agreed to drink the king's health in their blood, and that each should cut off a piece of his buttock, and fry it, which four of them did; but the wife of the fifth coming into the room, and taking up a pair of tongs, laid about

her so, that she saved the cutting her husband's flesh.—May 14. The act for suppressing incest, adultery, and fornication being passed, Henry Martin declared his opinion, "that the severity of the punishment being death, would cause these sins to be more cautiously committed, and so being undiscovered, would be more frequent."—July 2. An Act passed for preventing and suppressing cursing and swearing; whereby it was enjoined, that (for the first offence) a lord should pay 30s. a baronet and knight 20s. an esquire 20s. a gentleman 6s. 8d. every other person 3s. 4d. And double for the second offence, and so to the tenth. Then to be bound to his good behaviour. Whitelock, p. 427, 433, 435, 46a.

p. And then he renewed again the covenant. Burnet, p. 51.

1651. out distinction of party. The army was ready the beginning of June, before Cromwell could take the field for want of forage. It consisted of fifteen thousand foot, and three thousand horse, which the king headed himself with David Leslie for his lieutenant-general<sup>q</sup>. As they were mostly new-raised troops, the king judged it not proper to go in quest of Cromwell, who was formidable for his courage and experience, and was besides at the head of a disciplined and victorious army. He posted himself therefore very advantageously at Torwood, between Edinburgh and Sterling, having behind him<sup>r</sup> a large and deep river, of which the passes were all secured, and by that means he received provisions out of the plentiful county of Fife, whereas the country before him was entirely laid waste. The army in the front was so strongly intrenched, that it would have been rashness to attack it. Here he resolved to wait the enemy's motions, and take his measures accordingly.

Cromwell, having assembled his army, marched directly to the king with design to give him battle, but found him so strongly intrenched, that he did not think fit to attack him. The armies remained in their respective camps about six weeks, all Cromwell's artifices to draw the king out of his intrenchments, proving ineffectual. The last year's experience had taught the Scots greater circumspection. At last, Cromwell, unable any longer to stay in his camp by reason of the difficulty of getting provisions, whilst the county of Fife plentifully supplied the king, resolved to deprive the king of that advantage. For he saw plainly, it was in the king's power to avoid fighting as long as he pleased, and oblige him to spend the whole campaign in a state of inaction.

Wherefore he detached sixteen hundred men under colonel Overton, who marched towards Edinburgh to a place provided with boats, and passing the frith, took his post in the county of Fife<sup>s</sup>. Overton was immediately followed by Lambert with a more considerable body. At the same time, Cromwell with the rest of the army, advanced towards the king's intrenchments as if he intended to attack them,

Cromwell enters Fife.  
Phillips.  
Bates.  
Warwick.  
Whitelock,  
p. 500, 501.

<sup>q</sup> Duke Hamilton was lieutenant-general, David Leslie major-general; Middleton lieutenant-general of the horse, and Massey major-general of the English, Whitelock, p. 486.

<sup>r</sup> The lord Clarendon says, the river was between the two armies, but it is

a mistake; for the king had the river behind him. Rapin.

<sup>s</sup> That pass was defended by major-general Brown, with a body of four thousand men. Clarendon, tom. III. p. 309.

them, in order to prevent any detachment from the king's army to oppose the landing of his forces. As soon as the king was informed that the English were in Fife, he detached major general Brown with four thousand men to fight them. Brown was routed, and Cromwell thereby free to transport his whole army into Fife. By this means he deprived the king of any farther supplies from that country.

1651.

A detachment from the king routed.

Id. p. 499. Ludlow. Bates.

It was indeed an advantage to Cromwell to put the king under a necessity of quitting a post where he could not be attacked. But withal, he had made it impossible to fight him, because there was a deep river between the armies which joins the lake of Lomund to Edinburgh-Frith. The king might have passed the river because he was master of all the passes, but it was not thought proper to pursue Cromwell, who was now at a distance, having taken St. Johnstown, and threatened Sterling. On the contrary, the king suddenly resolved to march into England, since he had no opposition before him, being pleased, that Cromwell had given him opportunity to form and execute a design so agreeable to his interest. He saw himself at the head of eighteen thousand men, and doubted not that his army would be greatly increased in England, by the junction of the royalists and presbyterians equally oppressed by an independent parliament. This was the idea the king and his council formed of this expedition. The marquis of Argyle was alone of the contrary opinion, and so far incurred the suspicion of disloyalty, that the king was advised to put him under an arrest. But it was not thought proper to follow this advice, from which no advantage could be reaped. The marquis therefore was left in Scotland, and the king began his march to Carlisle with extraordinary diligence. He had now marched some days before Cromwell heard of it, and entered England the sixth of August, where he was proclaimed by his army.

Cromwell makes himself master of St. Johnstown.

Bates. Phillips. Whitelock. p. 501.

The king marches into England. July 31.

Clarendon; III. p. 309. Bates. Whitelock.

The news of the king's march greatly surprized Cromwell who never expected it. He believed, he had gained a considerable advantage in forcing his way into Fife, but this had given the king opportunity to march into England, where, very likely, he would be joined by a great number of adherents. The avoiding of this, was the sole aim of the parliament in carrying the war into Scotland. It may therefore be said, that Cromwell was guilty of an error, which might have been attended with very ill consequences to the new

Cromwell disturbed at the news of the king's march. Clarendon, III. p. 310.

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D

modelled

1651. modelled commonwealth, and the governing party. Accordingly, his greatest care was to prevent the mischiefs that might follow. As he doubted not, the parliament would be alarmed at the news of the king's march, he speedily informed them of it, and withal, of his intention closely to pursue him. He advised them also to put the militia in arms in all the counties of the kingdom, with all possible diligence, to keep the king's party in awe, and prevent their joining his army. He gave himself the same orders in the northern counties, as well to hinder the cavaliers from rising, as to find several bodies of the trained bands ready to reinforce his army on his arrival in England. At the same time he detached major general Harrison with three thousand horse, which were to be followed by Lambert at the head of another body of cavalry, to retard the king's march as much as was possible. After these precautions, he left major general Monk in Scotland with five thousand men, with orders to endeavour to make himself master of Sterling and Dundee. At last, he put himself upon the march, three days after the king's departure, making all possible haste to reach the king before he should arrive at London, not questioning but he would march thither without halting.

Precautions  
and orders  
of Crom-  
well.  
Ibid.  
Whitelock.

Phillips.  
Bates.

The king  
receives but  
little relief  
from Eng-  
land.  
Clarendon,  
III. p. 309,  
311.

Phillips,  
p. 606.

Clarendon,  
III. p. 311.

The king entered England full of hopes that all the enemies of the independents, as well presbyterians as royalists, would eagerly join him. For that purpose he sent colonel Massey before with a detachment to receive all who were willing to serve him<sup>u</sup>. He writ likewise to the earl of Derby, then in the isle of Man<sup>w</sup>, to repair to him, greatly relying on his credit in Lancashire. But many things conspired to disconcert his projects. 1. As he advanced, the Scotch foldiers deserted in such numbers, that it was computed four or five thousand returned to Scotland. These deserters were probably the zealous presbyterians, who believed, they could not in conscience assist the king in the recovery of England by force of arms, which was the opinion of most of the Scots. 2. The militia, every where in arms, hindered the king's friends from assembling, by guards placed on all the publick roads. 3. The committee of the kirk, which had followed the army, feared, if the king's forces were augmented with too great a number of royalists, their superiority might oblige the Scotch army not only to assist in the ruin of the independents, but moreover in the restoration

<sup>u</sup> Captain Cecil Howard, son of the lord Howard of Esrick, brought him a troop of horse. Phillips, p. 606.

<sup>w</sup> Where he had securely reposed himself since the end of the former war. Clarendon, tom. III. p. 309.

ion of the king without any conditions, which was directly contrary to the interests of Scotland. In this belief the committee sent Massey a declaration, with orders to publish it, signifying, that the king being zealous for the covenant, no persons were to be received into his army who refused to sign it. This was done without the king's privity, who was extremely troubled at the news. He even forbid Massey to publish the declaration. But the import of it being now every where spread, the king's friends thought proper to conceal themselves, not daring to mix with the Scotch army, because they could not resolve to take the covenant, 4. The English presbyterians were indeed enemies to the independents; but not such friends of the king, as to restore him to the throne without a previous assurance of his ratifying the concessions made by the king his father at the treaty of Newport. But this not being a proper season to enter into such a negotiation, they did not appear very eager to serve him. 5. The earl of Derby, who had been sent by the king into Lancashire, and had there raised twelve hundred men, was defeated by colonel Lilburn at the head of ten troops of Horse brought from York to join Cromwell. It was with great difficulty that the earl escaped to the king after the loss of his forces, the lord Widdrington and sir Thomas Tildesly being left dead upon the spot. This defeat much discouraged the king's friends of those parts, who intended to repair to his army.

At last, after a very fatiguing march, the king arrived at Worcester, where he was honourably received by the magistrates, and solemnly proclaimed. He resolved to refresh his weary troops in the neighbourhood of that city, as they were not able to continue their march without some repose. Probably his design was to have marched directly to London, if his army, according to his expectation, had been considerably strengthened on their rout. But on the contrary he saw it so diminished by desertion, as to be reduced to twelve or thirteen thousand men, without any hopes of its being augmented for the forementioned reasons. It is therefore likely, he durst not farther advance, and thought the ground about Worcester proper for defence in case of an attack.

Whilst the king's army refreshed themselves at Worcester, Cromwell was advancing with speed. His orders for assembling the forces and militia of the north were so well obeyed, that on his arrival in England, his army was daily increased by parties from all quarters. By this means, after his junction

1651.

Ibid.

The earl of Derby defeated.

Aug. 25.

Phillips.

p. 607.

Clarendon.

III. p. 314.

Whitelock,

p. 504.

Ludlow.

The king stops at Worcester.

Aug. 22.

Clarendon,

III. p. 313.

316.

Ludlow.

Cromwell arrives at Worcester.

Sept. 1.

Clarendon,

III. p. 318.

Phillips.

1651. tion with Lambert and Harrison, he found his army much superior to the king's, which lay encamped about a mile from Worcester, with a resolution to stand upon the defence. Cromwell before he attacked the king's army, thought proper to make a diversion on the other side the Severn. For that purpose he detached Lambert, who marched directly to Upton, where was a bridge guarded by Massey. This passage was so vigorously attacked, that after a sharp engagement, Massey was obliged to abandon it. Immediately after, Cromwell ordered part of his army to go over to the western side of the Severn, which forced the king to send some of his forces the same way, and so to weaken that part of his army which was to sustain Cromwell's attack.

Phillips.  
Clarendon,  
III. p. 317.  
Whitelock.

Gains a  
passage over  
the Severn.

Battle of  
Worcester.  
Sept. 3.  
Clarendon,  
III. p. 318.  
Whitelock,  
p. 507.  
The king's  
army de-  
feated.  
Phillips.  
Ludlow.

Phillips,  
p. 608.  
Clarendon,  
III. p. 320.  
Hall.  
Burnet's  
mem.  
p. 432.

The 3d of September, a day fortunate to Cromwell by the defeat of the Scots at Dunbar the year before, he charged the royal army on both sides the Severn. After an engagement of some hours the king's forces were repulsed on both sides the river, and forced to retire into the town in such confusion, that the entrance was forgot to be defended. The king's solicitations were fruitless, to inspire his now vanquished troops with resolution to resist any longer the conqueror. At last, his cavalry seeing the enemy breaking into the town, fled, and left the infantry to the mercy of the English. The king himself was forced to fly through St. Martin's gate, and with great difficulty avoided falling into the enemy's hands. The foot were almost entirely killed or taken; and the horse being warmly pursued, were easily dispersed: so that most of the officers were made prisoners. It is pretended, of the Scots there were slain about two thousand, and seven or eight thousand taken prisoners, who being sent to London, were sold for slaves to the plantations of the American isles. Duke Hamilton, mortally wounded, died nine days after. Amongst the principal persons were general Lesley, the earls of Lautherdale, Rothes, Carnwarth, Kelly, Derby and Cleveland.

The

x Of the king's side there were three thousand slain, and ten thousand taken prisoners; and of Cromwell's army one hundred slain, and three hundred wounded. Among the prisoners were three English earls, seven Scotch lords, six hundred and forty colonels, and other officers; the king's standard, and one hundred and fifty

eight colours were also taken. Whitelock, p. 508.

y Lesley reached Lancashire before he was apprehended, and the rest were overtaken and made prisoners at Newport in Cheshire, by a detachment of Lilburn's horse. Phillips, p. 608, 609.

The king, though happily escaped from the defeat, was under great difficulties. He was to avoid his pursuers; that was his only concern, but the thing was not easy. He found himself in the middle of England, which he could consider but as an enemy's country, though he had in it still some friends. He was under a necessity to quit it, and find some way to convey himself beyond sea, which seemed impracticable. It was still more dangerous to attempt a return into Scotland, because he would probably be searched for most carefully on that road, and though he should safely reach that kingdom, the danger would be almost the same there as in England. The parliament army, victorious in Scotland, as we shall see presently, would not have afforded him a secure retreat there. He resolved therefore to go that night as far as possible. After that, he dismissed his attendants, who could only serve to discover him the more easily, and put himself into the hands of a trusty guide, by whom he was disguised like a peasant, and conducted through by-roads. In this melancholy state he spent a whole day in a tree near the road<sup>a</sup>, from whence he saw and heard people as they passed by, talking of him, and wishing he would fall into their hands. He travelled only in the night, his guide concealing him by day in cottages where he was not known, and where his diet generally was only a little milk. At last, after two months great fatigues, after infinite dangers escaped, after a great part of the kingdom traversed from Worcester to the county of Sussex<sup>a</sup>, he embarked, and safely arrived in Normandy the 22d of October. The curious are referred to the earl of Clarendon, who, from the mouth of the king himself, has given a circumstantial account of the means of his escape, and the adventures in his flight<sup>b</sup>.

The king's flight and arrival in France. Clarendon, III. p. 321, &c. Phillips. Bates. Boscobel,

T. III. p. 321—331.

We must now return to the transactions of Scotland, since Monk the two armies left that kingdom. While Cromwell was in pursuit of the king, Monk, in obedience to his orders, laid siege to Sterling, which resisted but few days. This place, one of the strongest of Scotland, where the publick records were

makes himself master of Scotland. Phillips. p. 611. Whitelock. Ludlow.

## D 3

<sup>a</sup> This tree grew in the thickest part of the wood, which was searched with the greatest exactness.—This wood was either in or on the borders of Staffordshire. Clarendon, tom. III. p. 331.

<sup>b</sup> He went in a little bark from Brightelmsted, a small fisher town in Sussex. Whitelock says, the king

and the lord Wilmot went to London, where they staid three weeks, and the king went up and down in a gentlewoman's habit, and at Westminsterhall he saw the state's arms, and the Scotch colours. Mem. p. 488.

<sup>b</sup> See likewise Bates's Elenchus, and a little book called Boscobel. Rapin.

1651. were kept, surrendered the 14 of August<sup>c</sup>. All the papers and records were sent to London, from whence they never returned, the ship which was bringing them back, after the restoration, being cast away. After the surrender of Sterling, Monk besieged Dundee, where the inhabitants of Edinburgh had conveyed their best effects, after the battle of Dunbar. During this siege, some Scotch gentlemen assembling some forces to relieve the town, they were surpris'd and dispersed by a detachment from Monk, and their leaders taken prisoners. Notwithstanding this misfortune, major Lumisdale the governor made a stout defence, till the town was taken by storm the first of September, two days before the battle of Worcester. The taking of Sterling and Dundee were followed by that of Aberdeen, St. Andrews, and all the rest of the towns and castles, capable of making resistance. Thus, in a short time, Monk reduced the whole kingdom of Scotland to the obedience of the English parliament. And this was the remarkable consequence of the king's resolution to conduct the Scotch army into England.

The king in great distress.  
Clarendon, III. p. 332, 338.

The victory of Worcester and the reduction of Scotland gave such a reputation to the new republick, that every state in Europe, either courted its friendship, or dreaded its arms, For this reason, most of the sovereigns excus'd themselves from making offers to the king, or supplying him with money, for fear of being suspected by the parliament. So, the king saw himself reduced to great extremities, and even to a want of common necessaries. He lived at Paris, maintained by his mother, who had a pension from the crown, but cardinal Mazarin making his court to the parliament of England, took no notice of the distress of her unfortunate son.

Cromwell in great credit.

On the other hand, Cromwell's glory and credit were so increased since the battle of Dunbar and Worcester, that as he was master of the armies of the three kingdoms, he was in effect, master of the resolutions of the parliament, no man daring openly to oppose him. He had, besides, in the house so great a number of creatures, that it was easy for him to procure what resolutions he pleased. So, it may be truly said, that he was the head of the commonwealth, whilst he had only the title of general.

Power of the commonwealth of England.

This commonwealth was very powerful from its beginning. This appears strange at first, considering the great sums that were

<sup>c</sup> Over the door of the chapel belonging to Sterling castle, this motto in the reign of king James I. was

written, J. C. R. nobis hæc invicta dederunt centum sex proavi. 1617. Phillips, p. 611.

were expended, and the blood that was shed, during the civil war. But it is to be considered with regard to the expence, that the money had not been carried out of the kingdom. The only alteration was, that the rich were become poor, and the poor rich, which had not sunk the capital of the kingdom. And as to the number of men killed in the war, it must also be considered, that England swarmed with people in the year 1642, having had no wars since the death of Elizabeth. So the effusion of blood had not diminished the inhabitants so as to weaken the kingdom to any degree. This is evident, from the easiness wherewith, in the space of one year, the parliament raised an army for Ireland, and another more considerable for Scotland, besides the forces remaining in England. The navy, having had no enemies to engage during the war, was in a flourishing condition. In a word, England was not less powerful than under Elizabeth, or than it might have been under James I. and Charles I., had those princes thought proper to engage in foreign wars. Nothing therefore was altered but the government, and that was in the hands of the most able men England had for a long while produced, though their usurpation was the most unjust. In this respect, England found itself in a very different state from what it was under the two foregoing kings, whose capacities to govern cannot be greatly commended by the impartial.

Cromwell returned to London the 21st of September, Cromwell returns to London. leading with him, in triumph, his principal prisoners, who were committed to the Tower, from whence Massey, some time after, found means to escape<sup>d</sup>. A majority of the parliament, with the speaker at their head, attended by the lord mayor and aldermen of London, met him as far as Acton. Phillips. Whitelock. Clarendon, III. p. 347. Eight days after, the earl of Derby was tried and sentenced by a council of war, and beheaded at Bolton in the county of Lancaster<sup>e</sup>. The earl of Derby executed. Octob. 15.

While

<sup>d</sup> As did also the earl of Middle-  
ton. Phillips, p. 610.

<sup>e</sup> James Stanley, earl of Derby, confessed upon his trial, the plot for a general rising of the presbyterians in Lancashire, to join with the king; but it was disappointed by the apprehending of Mr. Birkenhead. He confessed also the matter of treason charged against him, and submitted to the mercy of the parliament. And for plea, 1. He alleged, he had quarter given

him, and therefore was not to be tried by a court martial. 2. He pleaded ignorance of the acts of treason set forth by the parliament. But these pleas were overruled; and he was sentenced to lose his head at Bolton. Whitelock, p. 511. He married the daughter of the duke de la Tremouille in France. What reward his son had for this famous earl's loyalty, will appear by the following inscription, fixed by the present earl of Derby, on a building erected

1651.

Jersey,  
Barbadoes,  
and other  
isles taken  
by the fleet  
of the par-  
liament.

Whitelock.

The parlia-  
ment unite  
Scotland to  
England.

Phillips.

Whitelock.

Heath.

Ludlow.

While these things passed in England, the parliament's fleet became master of the isle of Jersey, Cornet castle in the isle of Guernsey, and the isle of Man. In January following, sir George Ascough reduced the isle of Barbadoes, then governed by the lord Willoughby of Parham for the king; and the isles of Nevis and St. Christophers submitted without opposition.

England enjoying a profound tranquillity, and Ireland being almost reduced, the parliament thought of means to unite Scotland with the commonwealth of England. As they had conquered that kingdom, they believed they had a right to do with it as they pleased, without consulting the Scots, who were no longer able to oppose their will. An act therefore passed in the English parliament, which entirely abolished kingly power in Scotland, and united that kingdom to the English commonwealth, with a power to send a limited number of representatives to the parliament. Commissioners were afterwards sent into Scotland, to adjust the particular of the union. Most of the Scotch nobility seeing themselves unable to resist the parliament, submitted to their pleasure. The marquis of Argyle became one of the most zealous adherents of the commonwealth, but the clergy were very much dissatisfied with the union.

The parlia-  
ment afraid  
of Holland.

Since the independents had openly appeared, they had made a great progress. They had beheaded king Charles I. abolished the house of lords, turned the monarchy into a commonwealth, quelled the faction of the levellers, humbled the presbyterians, subdued Scotland, and almost finished the conquest of Ireland. By the victory at Worcester, they seemed to have deprived the king of all refuge, and to have nothing more to fear from him. Nevertheless, the royalists were still a thorn in their side, and gave them continual apprehensions. Indeed, that party appeared too weak to recover by their own strength, but they were not without a possibility of receiving assistance from foreign powers. Of these powers, they dreaded neither France nor Spain, because they were satisfied, that the managers of the affairs of these two kingdoms had no design to attempt the restoration of

rested at Knowsley, his seat in Lancashire;

"JAMES earl of Derby, lord of Man, and the Isles, grandson of JAMES earl of Derby, and of CHARLOTTE daughter of CLAUDE duke de la Tremouille, whose husband JAMES was

"beheaded at Bolton, xv. Octob. MDCLII. for strenuously adhering to Charles II. who refused a bill passed unanimously by both houses of parliament, for restoring to the family the estate lost by his loyalty to him, MDCCXXXII."

of king Charles, and though they should have attempted it, 1651.  
 their naval forces could not withstand the navy of England.

But there was another power which inspired them with fear.

This was the republick of the United Provinces, who could strongly assist the royalists : nay, it was likely, the prince of Orange, brother-in-law to the king, would use his great credit in those provinces, to engage them in the quarrel between the king and the parliament. It was therefore no less important, to prevent any assistance to the king from Holland, than it had been to hinder the Scots from assisting the presbyterians.

For this purpose, the parliament, in the year 1649, sent *They try in Dorilaus to Holland, to propose a strict union betwixt the* *vain to unite the two commonwealths.*  
 two republicks. The assassination of that agent at the Hague, *Clarendon, III. p. 355.*  
 made the less noise in England, because the parliament in- *Phillips, p. 613.*  
 tended to prevent the danger which might come from that *Heath, p. 285.*  
 quarter by a strict alliance with the states. The prince of  
 Orange dying October 1650, the parliament judged the oc-  
 casion unfavourable to treat with the states, because the interest

of that prince could no longer obstruct the negotiation. They sent therefore, in March 1651, Oliver St. John and Walter Strickland to the Hague, to negotiate, not a bare alliance, but such an union, as might render them one commonwealth. This proposal met with great opposition from the states. First, the English pretended, the states should renounce all their alliances, except those common to them with the republick of England. Secondly, the conditions proposed by the English were of such a nature, that all the advantages were on their side, and the forces of the United Provinces were properly but to serve for augmentation of those of England. Thirdly, if the time of the arrival of the two envoys at the Hague be considered, it will be easily seen, that the affairs of the parliament were not yet in a situation to oblige the states to be contented with conditions, so little advantageous. Indeed, Cromwell had, the year before, gained the battle of Dunbar : but that was not a decisive victory, since the king was going to head a new army, as he afterwards did before the English envoys left the Hague. The states would therefore have acted with too much precipitation, had they concluded this union before a decision between the king and the parliament. Lastly, the party of the house of Orange not being yet entirely suppressed, strongly opposed the union of the two republicks, which would have destroyed all the hopes of the young posthumous prince of Orange. On all these accounts, the English envoys returned in July, dissatisfied

1651. dissatisfied not only at their ill success, but also at some insults on their persons from the rabble at the Hague<sup>f</sup>. By that they perceived, the subjects of the states were more inclined to the king, than to the parliament, and were confirmed in the suspicion, that the states waited only a favourable opportunity to espouse openly the king's interests, so, their report to the parliament contributed to exasperate them against the states. Their resentment would perhaps have been immediately shown, had they not been engaged in the war with Scotland. Wherefore, it was judged proper to dissemble, till that war was ended, to which the battle of Worcester and Monk's success in Scotland gave at last a prosperous conclusion.

Very angry with the states.

Comes to a resolution of declaring war against them.  
Phillips.  
Clarendon, III. p. 360.

Secret motive to the war the rage of Cromwell.

But if the happy end of this war enabled the parliament to undertake another against Holland, it seems, on the other hand, to have removed the motives of a fresh war. For after the parliament was become master of Scotland and Ireland, there was no likelihood, the states of the United Provinces would think of assisting the king. Besides, as the prince of Orange was dead, it was not even probable, the states would contribute to the king's restoration, uncle of the young prince, whom they designed to reduce to the condition of a private person. Nevertheless, the parliament's resentment against the states was so great, that a war was resolved<sup>g</sup>. Pretexes were sought from injuries said to be done to the English by the Dutch thirty years before at Amboyna, and other places in the Indies. It is pretended, Cromwell consented to this war, of which he saw no necessity, in pure complaisance to St. John, and some others, who appear'd extremely incensed against Holland.

The strong desire shown by the parliament to engage in this war upon such remote pretences, gives room to conjecture, there were other motives than what publicly appeared. Very probably, even then some members, secret enemies or enviers of Cromwell, sought means either to ruin him, or at least considerably to lessen his power. This power in a private person seemed to them too dangerous for a commonwealth. They had participated in his counsels and designs to

<sup>f</sup> And from some of the English there. Clarendon, tom. III. p. 355.

<sup>g</sup> Hostilities began between the two nations in October 1651, when an English man of war, meeting with some Dutch fishermen, demanded of them the tenth herring, as an acknowledgment of England's sovereignty in

those seas (or else, insisted upon their striking sail) which the Dutch refused; whereupon they fell from words to blows, and the Dutch shooting first at the English, the English man of war sunk one of their ships, and all the men were lost. Whitelock, p. 512.

to subvert the presbyterian parliament, and therefore knew his genius, and of what it was capable. Wherefore they could not help dreading, that instead of labouring for the commonwealth, he was labouring for himself, however careful he was to hide his ambition under the mask of the public good. They saw at least with uneasiness, that if he was forming his own advancement, nothing could hinder him from executing his designs as long as he was master of the army. The support was therefore either to be taken from him, or the commonwealth exposed to his ambitious designs. But it was difficult to obtain his consent to disband an army which was at his devotion, and his great credit in the parliament afforded no hopes of effecting it there, without a pressing necessity. It was believed therefore, that <sup>Clarendon,</sup> if the republick could be engaged in a sea-war, the great <sup>III. p. 360.</sup> expence of which was foreseen, the parliament would by degrees be induced to disband a land army, to avoid an unnecessary charge. This policy perhaps may appear at first too refined, but three things strengthen this conjecture. First, The causes alledged for the war appear not of sufficient weight to engage the parliament in so great an expence, at a time when it would have been on the contrary very advantageous to let the people enjoy the fruits of peace, in order to make them relish the late established republican government. Secondly, It will appear in the sequel, that all the submissions of the Hollanders, were ineffectual to procure them a peace, and that the parliament would scarce hear their proposals. This plainly shows, the parliament had some secret motive for the continuation of the war; and it is difficult to discover any other than what I have mentioned. Thirdly, It is certain, Cromwell at last perceived, as will hereafter appear, this war was continued only to give the parliament occasion to disband the army, and that this made him resolve to destroy a parliament which sought his ruin. I own, it is not easy to prove, that the authors of the war against the United Provinces, had at first the design I have ascribed to them; and that with respect to the beginning, it is only a conjecture. But this conjecture is confirmed, when it is considered, that the principal members joined together to humble the power of Cromwell, and that the war was only continued to make the expence of it a proper reason for disbanding the land army as useless, but which was necessary to Cromwell's support.

However,

1651.

An act passed in the English parliament which gave rise to the war.  
Clarendon,  
III. p. 355.

However this be, Cromwell returning victorious from Worcester, as he had before done from Ireland and Scotland, his credit so increased, that he became as it were the soul of the parliament and commonwealth. Whether he did not at first perceive the secret motives of the projected war, or for some other reason, he readily consented to the design of humbling Holland, which was considered as the only foreign power the parliament had to fear. But as the people were to be managed, who would not have been easily persuaded of the necessity of this war, it was resolved to force the Hollanders to be the aggressors, or at least to furnish a pretence for the war. To that end the parliament, under colour of encouraging navigation, made an act prohibiting the importation of all foreign commodities except upon English bottoms, or such as were of the country from whence the commodities came. By this act, which was to commence the first of December 1651, all commerce between England and Holland was destroyed, since that commerce consisted only in foreign merchandizes imported from Holland in their own vessels. Besides this, the parliament granted letters of mart to several private men, who complained of an unjust confiscation of their ships in Holland.

The states endeavour to avoid a war.

Decemb.  
Whitelock.  
Clarendon,  
III. p. 355.  
Phillips,  
p. 613.  
Pretensions of the parliament.  
Burchet's  
Nav. Hist.  
p. 380.

The states easily perceived the parliament's design, but instead of beginning hostilities, as was expected by the English, they sent an embassy to London, to solicit a revocation of the act. The parliament received the ambassadors with marks of respect, and granted them several audiences, their aim being to intimate, that it should not be their fault if the peace between the two republicks were not preserved. But when the particular articles came to be discussed, it was plain the parliament was bent upon war. Instead of revoking the navigation act, several state pretensions were revived. Satisfaction was demanded for the massacre of the English at Amboyna in the year 1622; for the losses sustained from the Dutch since the year 1618 in the Indies, Persia, the Mogul's dominions; Muscovy, Greenland, and the isle of Poloron. These losses, according to the parliament's estimation, amounted to seventeen hundred thousand pounds sterling. A suitable reparation was also insisted on for the murder of Dorislaus committed at the Hague, under the eye of the state, who had taken no proper measures to bring the authors to punishment. In fine, it was pretended, that satisfaction should be given for the secret intelligence which the last ambassadors from the states had held with the late king during the civil war. For these satisfactions and reparations, the

Letters of the parliament to foreign princes.  
p. 41.

the parliament offered to make an alliance with the United Provinces upon the terms proposed by their envoys at the Hague.<sup>1</sup> 1651.

These propositions convinced the states that they were to prepare for war. Accordingly, with great care and expence a fleet was put to sea of a hundred and fifty sail. They were unwilling however to declare war against the parliament, and resolved, if possible, to cause the English to be the aggressors. For this purpose, while the states ambassadors were still at London, their admiral Martin Van Trump, one of the bravest and most experienced sea officers in Europe, appeared in the channel with a fleet of forty five ships of war, pretending to convoy some merchantmen, and came and anchored in Dover road, probably with design to give the English a provocation to begin hostilities. Admiral Blake, who commanded the English fleet consisting only of twenty six sail, appearing in sight, the Dutch weighed anchor, and put to sea without striking their flag, whereupon Blake fired three guns without ball for a signal to strike, to which Trump answered no otherwise than by drawing up his ships in line of battle, and in contempt of the signal, discharged one single gun, and coming up to the English admiral gave him a broad-side. So, the fight begun without any certainty which side was the aggressor.<sup>2</sup> The two admirals had positive orders so to behave, as not to come to an engagement without apparent necessity. The English say, Trump had orders from the states not to strike to the English, to oblige them to begin hostilities. This is not improbable, though the Dutch authors do not mention it.<sup>3</sup> Blake being reinforced with eight ships, the engagement lasted from four in the afternoon till night. The English, if their historians are to be credited, had not a single ship damaged, and the Dutch lost two, one taken, and one sunk. They say farther, that night coming on, Trump drew his fleet to the back of the Goodwin Sands, and the next morning sailed for Zealand. The Dutch own the loss of two

1652.

Whitelock,  
P. 535.May.  
Clarendon,  
III. p. 356.  
Phillips.  
Whitelock.First sea-  
engagement  
May 17.  
Clarendon,  
III. p. 356.  
Phillips.  
Whitelock,  
p. 533.  
Heath.Clarendon,  
III. p. 357.  
Phillips.

two

<sup>1</sup> They also insisted upon a free trade upon the Schelde from Middleburgh to Aersch. Heath, p. 308.

<sup>2</sup> The refusal of striking the flag, and the broadside given by Trump to Blake, seems to put it out of all doubt, that the Dutch were the aggressors. Though Rapin takes this account from the lord Clarendon, yet either himself, or the French translator has so mangled

this passage, that I thought best to insert it, as it is in the author he quotes.

<sup>3</sup> The lord Clarendon says, the council of the admiralty of Holland, who govern the maritime affairs without communication with the states general, ordered Trump not to strike. Tom. III. p. 356.

1652. two ships, but affirm the English had six sunk, and that the night only saved their fleet from entire destruction. It is difficult exactly to discover the truth in such contradictory accounts, particularly concerning sea engagements. It seems however, that the consternation at London occasioned by this battle, and the insults offered to the Dutch ambassadors from the populace, which obliged the parliament to give them a guard, show, the people were not pleased with the success.

Whitelock,  
p. 533.  
Phillips.  
p. 614.

A fruitless  
embassy  
from the  
states.

July.  
Clarendon,  
III. p. 357.  
Phillips.  
Whitelock.

Manifestos  
from both  
the nations,  
Collect. of  
Treaties.

t. III. p. 36,  
&c.

The right  
of the flag  
insisted on  
by the Eng-  
lish, and re-  
plied to by  
the states.  
Whitelock.

Van  
Trump's  
fleet dis-  
persed by a  
tempest.  
August.  
New. Hist.  
of Holland.  
Clarendon,  
III. p. 357.  
Phillips.  
Whitelock,  
p. 541.

The Dutch ambassadors, knowing the intention of their masters, endeavoured, in an audience obtained of the parliament, to show, the battle was a pure effect of chance. On the other hand, the states sent to the parliament an ambassador extraordinary, to propose an agreement. This was Adrian Paw, who had been plenipotentiary at the peace of Munster. But the parliament not receding from any of the articles proposed before the rupture<sup>l</sup>, the states recalled the ambassadors, and resolved to continue the war, since there was no other way to procure a peace. A manifesto was published, in which they pretended to demonstrate, the parliament attacked them without any provocation; and the parliament answered in another, declaring all the occasions of complaint above-mentioned. To this was added the refusal of striking the flag, a right they were resolved to maintain at all hazards. The states replied, it was true, their republick, in its infancy, had paid that compliment to the royal dignity, when England was under the dominion of a king, but they could not believe themselves obliged to the same respect since the monarchy was changed into a commonwealth. After all, this was by no means the real cause of the war. But these manifestos were necessary on both sides for an intimation to the people, that they were not engaged without necessity in extraordinary expence to support a war.

The war being sufficiently declared, as well by the manifestos, as by a battle, Van Trump put to sea with a fleet of seventy ships, whilst Van Gallen sailed to the Mediterranean to fight the English there. Trump's design was to engage admiral Ascough who lay in the Downs with part of the English fleet. But, while he was waiting an opportunity, admiral Blake with forty ships sailed to the northward, to attack the herring fleet, and their convoy<sup>m</sup>. Trump being informed

<sup>l</sup> They would hear of no propositions, without being first satisfied for their charges and damages. See Whitelock, p. 537.

<sup>m</sup> Which consisted of twelve men of war. Clarendon, tom. III. p. 358.

informed of it, follows and overtakes him near Newcastle. 1652.

But while he was preparing for the fight, a furious tempest so dispersed his fleet, that he returned to Holland but with forty sail. The rest that escaped shipwreck, arrived not at the Texel till some weeks after.

About the same time, Ruyter convoying a fleet of merchantmen with thirty four ships<sup>a</sup>, was met by sir George Ascough, and a furious engagement ensued, which was bravely fought on both sides, till Ascough at last was forced to retire to Plymouth, and leave Ruyter free passage to convey his fleet into Holland.

Engagement between Ruyter and Ascough, Aug. 16. Whitelock.

During the engagements in the channel, Van Gallen attacked and beat the English in the Mediterranean: but his victory cost him his life, being slain in the fight.

Van Gallen killed. Septemb.

Mean while, the English putting to sea with a formidable fleet, made themselves masters of the channel, the Dutch not daring to appear. During that time, a considerable number of Dutch vessels returning to Holland, without being informed of the war, fell into the hands of the English, and amongst others, a fleet of forty sail from Portugal, and six India ships richly laden.

The English formidable at sea, take great numbers of the enemy's ships. Whitelock.

Whereupon the Dutch, not to expose their merchants to greater losses, gave notice to the merchantmen, homeward bound, to sail to the isle of Rhè, where a fleet should be ready to convoy them. Pursuant to this project, Trump left the Goree in November, with seventy men of war, and six fire ships, and met Blake, who expected him in the channel. The fight lasted from eight in the morning till night, when part of the English fleet retired to the Downs, and part into the Thames. A wound received by Blake having thrown his fleet into some disorder, he could not hinder Trump from pursuing his course<sup>o</sup>.

Trump sets to the isle of Rhè. Fight in the channel. Nov. 29. Whitelock. Heath. R. Coke.

Since the death of Charles I. the duke of Gloucester, his third son, had been confined in the isle of Wight, and educated as a private gentleman, they who had the charge of his education, being expressly commanded to shew him no respect, that might put him in mind of being a king's son. At last, the parliament resolved to send them out of the kingdom,

The duke of Gloucester sent out of the kingdom. February 1652-3. Phillips. Heath.

<sup>a</sup> Our historians say, there were sixty sail of them, whereof thirty were merchantmen. Ascough had but thirty eight sail. Whitelock, p. 541, 542.

<sup>o</sup> With a broom on his main-top-mast, as if he had swept, or would sweep, all the English shipping out of

the channel. Phillips, p. 615.— This year prince Maurice was lost in a hurricane in the West Indies. In September died Ralph lord Hopton, at Bruges in Flanders.—And this year also died Jacob lord Ashley, and John Digby earl of Bristol. Heath.

1652. dom, for which purpose he was conducted to Dunkirk, from whence he visited his sister the princess of Orange at Breda, and then repaired to the king his brother at Paris.

A sea engagement, which lasted three days. Feb. 18, &c. Whitelock. Clarendon, III. p. 360. Phillips. Heath. Ludlow.

In February, Blake again put to sea with a fleet of eighty sail, being assisted, at his own request, with Monk and Dean, newly arrived from Scotland for that purpose. The intention of the three admirals was to fall upon Trump in his return from the isle of Rhè, with three hundred merchant ships, he was to convoy to Holland. The states being informed of the great preparations in England, had equipped twenty ships to join their admiral in his passage, but they were hindered by contrary winds. In the mean time, Trump entering the channel, and conducting the merchantmen along the coasts of France, met the English fleet, much superior to his own in number of ships. But finding himself too far advanced to recede, a furious engagement began, which lasted three days, and would have been renewed the fourth, had the ships on either side been able to sustain a fresh charge. The Dutch lost in this engagement eighteen men of war, and eight merchantmen. But their historians pretend, that one and twenty ships of the enemy were sunk, and three stranded. Each side challenged the victory. However that be, Trump convoyed his three hundred merchantmen into Holland, the eight excepted, which fell into the hands of the English. After he had secured the merchantmen, he engaged the English four several times, but not in so important a manner.

1653. Shortly after, the king imagining, he had many friends amongst the commanders of the English fleet, offered the states to put himself on board their fleet, without any command, except of such English ships as should come and join him. But the states thought not fit to accept his offer. It was considered by them as a snare, to engage them to declare for him, to which, in their present circumstances, they had no inclination. They wanted peace, and were unwilling to remove or render it impossible, by espousing the king's cause. They even found a way to convey privately to Lenthal the speaker, a letter from the states of Holland, to propose an agreement. Some say, this was owing to a private intimation from Cromwell, who began to discover, that the peace was now proper for his interests. He had the address to obtain from the parliament a civil answer to the letter

Id. p. 360.

p Some say, that they lost in the three days engagement eleven ships of war, thirty merchantmen, and had

fifteen hundred men killed. Burchett p 383.

ter received by Lenthal; but the answer was directed to the states general. This drew from the states a letter of the 30th of April, in which it was openly desired, the parliament would please to name a place for a treaty. 1653.

Cromwell at last perceived, the continuation of the war was a contrivance of his enemies, that the expence might render it necessary to disband the army, now become useless, to which he saw the house was inclined. This tended manifestly to undermine his authority. For though he had excellent qualities, and by his valour and capacity had raised the commonwealth to its present grandeur, he was, however, still feared. Had he not been supported by the army, his ruin had been infallible, the parliament fearing that his credit, already too great, would become still greater, to the prejudice of the commonwealth. Cromwell had even private information, that a conspiracy was forming against him, in which were engaged not only several presbyterians and royalists, but also some considerable members of the house, though of the independent party. Affairs therefore were in such a situation, that the parliament was either to be subdued, or himself ruined. Such a choice does not long amuse the ambitious. Cromwell, displeased at a design to requite his services with ingratitude, easily determined to risque every thing to make himself master of the parliament, rather than become their slave, who properly owed all their power to him.

The states sue for a peace.

Designs against Cromwell. Id. p. 360. 371, 372. Ludlow.

which bring him into a necessity of destroying the parliament.

The parliament, as I observed, was entirely supported by the army, and by their means held the nation in subjection. But since the battles of Dunbar and Worcester, Cromwell had so acquired the esteem and affection of the officers and soldiers, that they supported the parliament, only as its interests were confounded with those of their general. The leading members perceived it, and therefore had formed the project of disbanding the army, to ruin Cromwell with the more ease. But such a project was not to be long concealed from one of Cromwell's penetration. As soon as he discovered the design of his enemies, he judged, there was no other way to support himself, than by withdrawing the confidence of the army from the parliament; after which, it would not be difficult to destroy them. This was the very method practised by himself and the other independents, to ruin the presbyterian parliament. He therefore causes the officers of the army, in a general council, to frame a petition, and present it to the parliament; in which they demanded, "The arrears of their pay, that they might not be

Cromwell's measures to support his authority. Clarendon, III. p. 371. Whitelock.

Petition of the officers to the parliament. Clarendon, III. p. 372. Phillips. Whitelock.

1653.

“compelled to take free quarter upon their fellow subjects, who already paid so great contribution and taxes, which, they were well assured, if well managed, would defray all the charges of the war, and of the government.”

They demand its dissolution.  
Clarendon,  
III. p. 372.

The parliament, as Cromwell had foreseen, complained of the insolence of this petition, and ordered a reprimand to the officers for their presumption, to intermeddle in affairs which belonged not to them, and to arraign the parliament's management of the treasury. This drew from the army a second petition, which put the house in mind of some former professions they had made, “That they would be glad to be dissolved, and that there might be successive parliaments, to undergo the same trouble they had done. They therefore desired them to remember, how many years they had sat, and though they had done great things, yet it was a great injury to the rest of the nation, to be utterly excluded from bearing any part in the service of their country, by their ingrossing the whole power into their hands: and thereupon besought them, that they would settle a council of war for the administration of the government, during the interval, and then dissolve them selves, and summon a new parliament; which, they told them, would be the most popular act they could perform.”

II. p. 373.  
Pn. Lips.

This remonstrance, though intended to exasperate the parliament, appeared however very just in itself, and agreeable to the general sentiment of the nation. This will be evident, when it is considered, in what manner the members, which composed this parliament, had possessed themselves of the supreme authority. The violence they had used to their colleagues, the late king's tragical death, the change of the monarchy into a commonwealth, and the taxes imposed on the people for an unnecessary war, had rendered them odious to the whole kingdom. They were themselves sensible of these things; but, besides that it was very mortifying to them to divest themselves of an authority which had so many charms, they had reason to fear, that an account would be demanded of their actions. They were therefore unwilling to quit possession, and yet, could not avoid solemnly deliberating upon the petition, which was of a nature not to be neglected. In this debate, all the members, who were officers in the army, strenuously supported the petition. The presbyterians who had been received into the house upon their swearing to the engagement, were also of opinion, that the parliament ought to dissolve themselves, since

since it could not be doubted, that it was the nation's desire. 1653.

But the negative was carried by a majority of voices. It was therefore resolved, that it was not yet time to dissolve the parliament, while affairs were depending that could not be left unfinished, and particularly the important war with Holland. That nevertheless, the speaker should issue out writs for filling the vacant seats in the house. At the same time, a committee was appointed, speedily to prepare a bill, by which all persons were forbid to present such petitions, under pain of being declared guilty of high treason. The parliament votes against a dissolution, and prepares an act to forbid such petitions.

This was what Cromwell expected from the parliament. After so express a declaration, it could not be doubted, that the members who had sat more than twelve years, and had but too much abused their power, would always retain the supreme authority in their hands, under colour of being the representatives of a republick, which properly consisted only of themselves. Cromwell being therefore very certain, the parliament was odious to the people, and not less disagreeable to the army, believed, he owed no farther regard to men, who only sought his ruin. When things were concerted with the principal officers, he came to the house, the 20th of April, with some officers and soldiers, and without any ceremony, told the members, he was come to put an end to their power, of which they had made an ill use; and therefore, they were immediately to be dissolved. The officers and soldiers entered at the same time, and stayed at the door till the members walked out. Cromwell, as they came by him, reproached one with drunkenness, another with corruption, not sparing any of those whom he knew to be his enemies. After that he gave the mace to one of his officers, and locked the door<sup>1</sup>. This was an extraordinary action, but no more than was done a few years before by general Fairfax, when he expelled and imprisoned the members, who were disagreeable to the army. Cromwell dissolves the parliament. April 20. Clarendon, III. p. 373, 374. Bates.

E 2

It

<sup>1</sup> Whitlock, who was present, says, Cromwell led into the house a file of musqueteers with him, and in a furious tone bid the speaker leave his chair, and told the house, "They had sat long enough, unless they had done more good; that some of them were whoremasters, (looking toward Henry Martin, and sir Peter Wentworth,) others of them were drunkards, and some corrupt and unjust

"men, and scandalous in the profession of the gospel; and that it was not fit they should sit any longer, and desired them to go away." Whereupon, among all the parliament-men of whom many wore swords, and would sometimes talk big, not one offered to draw against Cromwell, but all tamely departed the house. He bid one of his soldiers "take away that fool's bauble the Mace." Whitlock, p. 554.

1653. It cannot yet, however, be affirmed, that Cromwell, by this proceeding, had pulled off the mask. He might still be thought to have good intentions to the publick, since he had only delivered the nation from a parliament, which had long held them in servitude. And had he, after this, called a free parliament, and submitted to it himself, the people would have loaded him with blessings. But the sequel clearly discovered, he was only labouring for himself. And yet, if it is considered that the nation was then divided into three parties, each mortally hating the other two, it is not easy to conceive, how a parliament, though ever so free, would have been able to settle the peace of the nation. It was hardly possible to find expedients to content the three parties, whose interests and principles were so opposite, as well concerning government as religion. Only force, by giving a superiority to one of the three, was capable of awing the other two. This doubtless was considered by Cromwell, and therefore he resolved to model the government after his own way, support his settlement by force, and regard not the chimerical project of contenting every man. He saw the necessity of a supreme authority capable of commanding obedience, without which all would run into confusion, and that this authority was to be supported by the army; and doubtless, he believed himself more capable than any other, to manage the reins of the government. I pretend not here to justify all the actions of this great man, whose ability was never contested; but only to shew, that, in this juncture, he could have taken no other course, without throwing the state into the most terrible confusion that can be imagined. Since therefore, as matters then stood, England was to be governed by force, was it more inconvenient to see the nation ruled by the greatest general and statesman the kingdom had for many years produced, than by a parliament, independent or presbyterian, or by a king intoxicated with arbitrary power? The people had made trial of these three several governments, and found them insupportable. A fourth therefore was to be tried, things being in such a state, that it was neither possible nor proper to submit to any of the other

Reflections  
upon this  
action of  
Cromwell.

r It is probable, he had formed the design of invading the government, just after the battle of Worcester. For he had a meeting at the speaker's, with several members of parliament, and principal officers of the army, to consider of the settlement of the nation. The soldiers were for a repub-

lick, the lawyers for a mixed monarchy, and many for the duke of Gloucester to be made king; but Cromwell still put off that debate. And it is thought, his design in that conference, was only to sound those great men, that he might manage accordingly: See Whitlock, p. 516.

other three. This supposed, it is not to be denied, that 1653.  
 Cromwell was more capable to govern this great state, than  
 any other man then in England. No objection could be  
 raised against him, which might not, with more justice,  
 have been urged against any other man who should have  
 seized the government, or any body of men invested with  
 the supreme power. If, on certain occasions, he abused his  
 authority; if, in his actions, he had only a view to his own  
 glory and interest, that is what I pretend not to vindicate.  
 It is however certain, that things have been greatly aggra-  
 vated, and some of his actions misrepresented, which with  
 disinterested and unprejudiced persons, are capable of being  
 easily justified. All the difficulty concerning this affair, lies  
 in the supposition made by each of the three parties, that  
 their scheme of government was the best and most perfect.  
 But as Cromwell disregarded all the three schemes, he was  
 equally exclaimed against by the three parties. The inde-  
 pendents, fond of their democracy, which was, however,  
 but an empty name, were enraged at him, for overturning  
 a building which he himself had erected. The presbyte-  
 rians could have wished, he would have restored the par-  
 liament to the state it was in, at the beginning of the year  
 1648, when they were masters; and could not forgive him,  
 for not taking that course, which, in their opinion, was the  
 most natural. The cavaliers or royalists were well pleased  
 that Cromwell had dissolved the independent, without re-  
 storing the presbyterian, parliament. But to satisfy them,  
 he must have restored the king to his throne, and the church  
 of England to all her rights. The reader is left to judge,  
 whether, in the present situation of affairs in England, what  
 the three parties desired, was either just, proper, or prac-  
 ticable. It is no wonder therefore, if these three parties were  
 equally displeased with Cromwell's proceedings, and loaded  
 him with invectives.

A little after, Cromwell published a declaration to justify  
 the dissolution of the parliament, and as his designs were not  
 yet manifested, this declaration was subscribed by the co-  
 lonels of the army, and all the sea-captains, and met with  
 a general approbation.

*justifies his  
 conduct in a  
 declaration.  
 Clarendon,  
 III. p. 374-  
 Heath,  
 p. 340.  
 Whitelock.*

The parliament being dissolved, the sovereign power was  
 necessarily to be lodged some where. Cromwell might have  
 taken the administration of the government, by the same  
 authority that he had dismissed the parliament. But he had  
 no design to usurp it so notoriously. He had contrived, that  
 it should be given him by a parliament, in order to dazzle

1653. the eyes of the publick with so venerable an authority. The council of officers, who had presented the petition to the parliament, being still assembled, Cromwell caused them to resolve, that a hundred forty four persons should be intrusted with the supreme power. In the choice of these persons, Cromwell at once displayed his abilities, and discovered, that he had some secret design, which, would at a proper season manifest itself. They were all men of no birth, illiterate, with no particular merit, unexperienced in affairs, in a word utterly incapable of an employ of that consequence<sup>a</sup>. Cromwell easily foresaw, they would soon be weary, and forced to put the government into his hands, and so furnish him with a pretence to assume it to himself. This notable choice being made, he writ to each in particular, to require them to assemble at Whitehall the 4th of July in order to take upon them the administration of the government<sup>c</sup>.

Makes choice of 144 persons to take care of the government. Whitelock, p. 558, 559. Clarendon, III. p. 376. Bates, Dugdale's View, Heath, p. 350.

Delegates to the government to them by an instrument. Bates, Clarendon, III. p. 377. Whitelock, p. 559. Phillips.

They assume the name of a parliament. Whitelock, p. 560, Clarendon, III. p. 377, 378.

These new sovereigns meeting on the day appointed, Cromwell made a speech, and when it was ended, gave them an instrument signed by himself and the principal officers of the army, by which the supreme power was lodged in their hands. This instrument imported, that all these members, or any forty of them, were to be held and acknowledged the supreme authority of the nation, to whom all persons were to yield obedience and subjection till the 3d day of November, in the year 1654, that is, during one year and four months. That three months before their dissolution, they were to make choice of other persons to succeed them, whose authority should not exceed one year, and then they likewise were to provide and take care for a like succession in the government. But it will presently appear, that Cromwell did not intend, this regulation should be exactly observed. These members, thus impowered, made no scruple to call themselves a parliament, and chose one Rouse<sup>u</sup> for their speaker. The whole nation was surprised

<sup>a</sup> The lord Clarendon says, there were amongst them divers of the quality and degree of gentlemen, and who had estates, credit, and reputation. tom. III. p. 376.

<sup>c</sup> After a short preamble, the letter ran thus; " I Oliver Cromwell, captain general, and commander in chief of all the armies and forces raised, or to be raised within this commonwealth, do hereby summon and require you (being one of the persons nominated) personally to appear at the council-chamber at Whitehall;

" within the city of Westminster, upon the 4th of July next ensuing the date hereof, then and there to take upon you the trust unto which you are hereby called and appointed, to serve as a member of the county of— and hereof you are not to fail." Oliv. Cromwell.

Given under my hand and seal the 8th day of June 1653. Whitelock, p. 558.

<sup>u</sup> An old gentleman of Devon, provost of Eaton, and member of the long parliament,

prized to find themselves under the dominion of such men, most of whom were artificers, or retail merchants \*. Amongst these members was one Barebone a leather-seller, who in his neighbourhood passed for a notable speaker, because he used to entertain them with long harangues upon the times. From this man the people, in derision, called them Barebone's parliament \*. I shall leave this ridiculous assembly for a moment, which did nothing worth remembering, to resume the recital of the war and the affairs between England and the united Provinces.

1653.

Are called in derision, Barebone's parliament.

The letter writ by the states-general to the parliament the 20th of April, the day on which the parliament was dissolved, was referred to the council of state, established by Cromwell and his officers till the new parliament should assemble. This council, under the direction of Cromwell, gave a favourable answer to the states, with hopes of a peace, upon sending plenipotentiaries to London.

A letter from the states answered by the council of state. May 6.

The English affairs were then in a state of uncertainty, of which it was difficult to foresee what would be the event. Cromwell had, by his sole authority, dissolved the parliament, and named a council of state which governed the kingdom, with no other right than what was derived from the officers. It was therefore not very proper for the states either to treat of or conclude a peace with men so little authorized. But the provinces of Holland and Zealand, the greatest sufferers by the war, wished to end it at any rate. At last, after great contests, the states general named four ambassadors to negotiate a peace at London.

The states appoint ambassadors to negotiate a peace. Whitelock, p. 558. R. Coxe.

Whilst their instructions were preparing, the fleets of England and the states, met the 2d of June, and came to an engagement, which was renewed the next day. In this last engagement, Trump fighting with great disadvantage, was obliged to retire in disorder, having lost many ships, which were sunk or taken by the English †.

A fight between the two fleets. June 2. Trump beaten. Whitelock, Clarendon.

E 4

After III. p. 380. — 382.

\* It was much wondered by some, that these gentlemen, many of them being persons of fortune and knowledge, would at this summons, and from these hands, take upon them the supreme authority of this nation, considering how little authority Cromwell and his officers had to give it, or these gentlemen to take it; but it was accepted by them. Whitelock, p. 559.

x His name was Praise-God Bare-

bone, from whom, he being a great speaker in it, the parliament was called as above.

y There were six sunk, and twelve taken, with thirteen hundred and fifty prisoners. The English fleet was at first commanded jointly by Blake, Monk, and Dean. Dean was killed, and in the Engagement which followed, Monk commanded alone. Clarendon, top. III. p. 380. Whitelock, p. 558.

1653. After this battle, the English fleet being reinforced to the number of a hundred ships, saw itself, some time, mistress of the sea, and gave frequent alarms to the coasts of Holland. At last, Trump having repaired his fleet as much as possible, though it was inferior to the English both in the number and largeness of the ships<sup>a</sup>, attacked the enemy's fleet again near the Texel. The fight lasted from morning till night without any considerable advantage to either side. It was renewed the next day with the same fury, Trump being reinforced with twenty seven ships, nor did this second day decide the victory. The third day opened with a fresh engagement, in which Trump was killed by a musket ball. But vice admiral de Witzen continued the fight, till the two fleets, as if by consent, retired to their own coasts, unable to fight any longer. The loss on both sides was very considerable<sup>a</sup>, and neither could justly boast of the victory; but the loss of admiral Trump was irreparable to Holland.

Another fight which continued three days, the first, July 29, Id. p. 381. Whitelock, p. 562. Phillips. Heath, p. 346, 348. Trump killed. The two fleets retire. Whitelock, p. 564.

The English put to sea again. Cromwell took care speedily to repair the English fleet, in hopes of receiving some advantage from the consternation caused by the death of Trump, the loss of so many ships, and the division then reigning amongst the United Provinces. But a violent storm so damaged his fleet, that he was under a necessity of either making a peace, or loading the people with new taxes, which, in his present situation, was very improper. He listened therefore to the propositions of the states, and the whole following winter was spent in the negotiation.

Their fleet damaged by a storm.

Peace negotiated at London.

Barebone's parliament did nothing considerable in a session of more than five months<sup>b</sup>. Nor was it called for that purpose. At last, the 12th of December, the speaker, with a good number of the members, who knew Cromwell's intentions, being assembled sooner than usual, one of them rose up and said, that they were unequal to the burden laid upon them, and therefore proposed a dissolution of themselves, and a resignation of the sovereign authority into the hands

The parliament returns the sovereign power into the hands of the officers. Clarendon, III. p. 378. Whitelock, p. 570, 571. Phillips.

<sup>a</sup> The Dutch had ninety men of war, and the English one hundred and six. See Whitelock, p. 562. Phillips, p. 619.

<sup>b</sup> Twenty-seven Dutch ships were fired or sunk and above one thousand prisoners taken. The English lost four ships, four hundred common sailors, and eight captains. And had above

seven hundred men, and five captains wounded. Clarendon, tom. III. p. 388.

<sup>c</sup> They made an act for marriages, ordering the banns to be published in the next market, three several days, and the ceremony to be performed by a justice of the peace. And that there should be a register appointed in every parish to keep an account of them. Scobell,

hands from whom it was received. This proposal met with a ready and unanimous approbation. Then the speaker and all the present members, without waiting for those who were not yet come, left their seats, and went directly to Cromwell and the council of officers: To whom they declared, that they found themselves incapable of the trust reposed in them, resigned the instrument they had received, and besought them to take care of the government. Thus Cromwell and his council of officers were once more invested with the supreme power, by that parliament on which themselves had conferred their pretended authority. It is manifest, this had been resolved from the calling of the parliament, in order to derive a parliamentary authority to those, who had by their own power dissolved the former parliament. This artifice was so gross, that Cromwell's belief to impose upon the people, is amazing. But an absurdity is swallowed by means of an irresistible power.

1653.

Two days after, the council of officers, by virtue of the authority lately given them by the parliament, declared, that for the future the government of the republick should reside in a single person, namely, Oliver Cromwell, captain general of the forces of England, Scotland and Ireland, who should have the title of protector of the three kingdoms, and be assisted by a council of twenty-one persons.

The council of officers invests Cromwell with the dignity of protector. Clarendon, III. p. 378. Whitelock, p. 571. Instrument of government. Whitelock, p. 571. Clarendon, III. p. 379. Bates.

The 16th of December the council of officers sent for the commissioners of the great seal, with the lord mayor and aldermen of London, and informed them that Cromwell was made protector, caused to be read in their presence a writing called the instrument of government, the substance whereof was: I. A parliament to be called every three years by the protector. II. The first to assemble on the 3d of September 1654. III. No parliament to be dissolved till they have sat five months. IV. Such bills as are offered to the protector by the parliament, if not confirmed by him in twenty days, to be laws without him. V. That his council should not exceed the number of one and twenty, nor be less than thirteen. VI. That immediately after the death of Cromwell,

c The first council chosen, in pursuance of this instrument, were, colonel Montague, colonel Lambert, viscount Little, colonel Desborough, Gilbert, Pickering, Anthony Ashley Cooper, Charles Woolley, baronets; major general Skippon, Walter Strickland, co-

lonel Sydenham, colonel Jones, Francis Rouse, John Lawrence, Richard Major. Phillips, p. 600. The reader may see the instrument of government at large in Whitelock's Memoirs, p. 571, &c.

1653.

Cromwell  
takes an  
oath to ob-  
serve it.

Whitelock,  
p. 677.

Assumes the  
title of  
highness.  
Invited by  
the city to  
an enter-  
tainment.

February 8.  
Idem.

Clarendon,  
II. p. 379.  
Reflections  
upon Crom-  
well's ad-  
vancement.

Cromwell, the council shall chuse another protector before they rise. VII. That no protector after the present shall be general of an army. VIII. The protector shall have power to make war and peace. IX. That the protector and his council may make laws, which shall be binding to the subject, during the intervals of parliament. After the reading of this instrument, Cromwell took an oath to observe it to the utmost of his power. Then he was conducted to Whitehall with great ceremony, Lambert carrying the sword of state before him, and from that time the title of highness and lord protector was given him. Immediately after, he was proclaimed as such at London, and then in the three kingdoms, which formed but one commonwealth. The city of London invited him to a splendid entertainment, where the solemnity of his reception was such as had been at any time performed to the king,

Thus Cromwell, whose birth seemed to have placed him at an infinite distance from sovereignty, found means to be invested with the supreme power. When the proceedings of the long parliament against the late king, the methods used to effect his ruin, their obstinate refusal of peace without the abolition of episcopacy and reduction of the regal power, the policy of the independents in concealing themselves many years among the presbyterians, and in not discovering themselves, till the king was unable to hurt them, their artifices to gain the army, their tyranny against the presbyterians and the king himself, and lastly, Cromwell's early adherence to that party, (when these things I say) are considered, one is apt to believe, the project of his advancement was formed from the beginning of the long parliament, and that the subsequent transactions flowed solely from that project. Accordingly this is insinuated by some, their aim being to show, that Charles I. was persecuted only to render that project the more practicable. But when it is considered, on the other hand, that it was almost impossible for Cromwell to have any such views, at a time when he had but little credit, and was scarce known in the parliament; that his reputation increased by a series of contingent events entirely out of his power, and by battles which he might have lost, it is difficult to believe, he could have formed such a design before his victory at Worcester. He had, very probably, even before that battle, his own advancement in view, but not to the supreme power. There were in his party men of too great a penetration not to discover such a design, had it been entertained

tertained by him. But as they thought not of his ruin till after that victory, very likely, his designs were not sooner perceived, and that it was only from that time, or perhaps not so early, that he began to ruminate on his grand project. For being then general, he had less way to go, than if he had formed the design while he was but lieutenant general <sup>d</sup>.

d Cromwell said to Mr. Bellievre: a man never rises so high, as when he  
 L'on ne montoit jamais si haut, que knows not where he is going. Reus.  
 qu'on ne sçait ou l'on va. That is, Mem. tom. III. p. 385.



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T H E

# H I S T O R Y

O F

# E N G L A N D.

---

B O O K XXII.

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P A R T II.

OLIVER CROMWELL, *Protector*.

**T**HE peace between England and the United Pro- 1654.  
 vinces was at last conclude<sup>d</sup>, and the treaty signed  
 the 5th of April 1654. By the treaty Cromwell <sup>Peace con-</sup>  
 made great advantage of the necessity the states <sup>cluded be-</sup>  
 were under to make peace. They could not obtain it with- <sup>tween Eng-</sup>  
 out promising to pay large sums for the damages done to <sup>land and the</sup>  
 the English thirty years since<sup>a</sup>. They consented to strike <sup>United Pro-</sup>  
 to the ships of the commonwealth, as they had before done <sup>vinces.</sup>  
 to those of the king. They entirely abandoned the inte- <sup>Collect. of</sup>  
<sup>treaties,</sup>  
<sup>t. III. p. 67.</sup>  
<sup>Clarendon,</sup>  
<sup>rest III. p. 382.</sup>

<sup>a</sup> To deliver up the island of Pole-  
 na in the East Indies, taken from the  
 English in the reign of king James,  
 and to pay, it is said, three hundred  
 thousand pounds for the affair of Am-  
 boyne (£5,000 l. whereof to the Eng-  
 lish East India company) for which  
 the two last kings could never get any  
 satisfaction. Clarendon, tom. III. p.  
 312. The ratifications of the peace  
 was presented in a silver box to the

protector. Whitelock, p. 588. Col-  
 lect. of treaties, tom. III. p. 384.  
 The demands of the English amounted  
 to two millions, six hundred ninety  
 five thousand, nine hundred ninety  
 nine pounds, fifteen shillings. And  
 those of the Dutch to two millions,  
 sixty nine thousand, eight hundred six-  
 ty one pounds, three shillings and six-  
 pence. Ibid. p. 127, 130.

1654 rest of Charles II. and obliged themselves to receive no exile from England into their dominions. They promised to restore to the English twenty-two merchant ships confiscated by the king of Denmark, or to pay their full value. In this treaty I find no mention of the Navigation act, which had been the cause of the war<sup>b</sup>. It is likely, either that article was adjusted in a private and particular treaty, or the states were contented with a bare promise, that they should not be disturbed on account of that act. Lastly, by a separate article the states bound themselves never to admit the young prince of Orange to be their stadtholder, general, or admiral. But this article was ratified only by the province of Holland, the other provinces refusing it, and Cromwell not judging it proper to continue the war to force them to it. Thus ended a war which had been very warm on both sides, and inexpressibly destructive to both nations. It is said, the two provinces of Holland and Zealand lost in it fifteen hundred ships, which fell into the hands of the English. And this very war, which had been undertaken to ruin Cromwell, served to advance him, as it obliged him to dissolve the parliament for his own preservation.

May 5.

Cromwell draws many enemies upon himself. Clarendon, III. p. 363.

Though the new protector met with a general submission, it was however with pretty open complaints of his usurping the supreme power by a pretended title conferred on him by men without authority. The royalists considered Cromwell's advancement as a mortal wound to the king. The presbyterians were not much more pleased with it: for though their government still subsisted in the church, they could hardly endure the liberty of conscience enjoyed by all the protestants. Besides, they were excluded from the best posts, which it was Cromwell's care to fill with men of approved fidelity to himself. The presbyterians were nevertheless caressed by him, because their assistance was needful to accomplish his project of being confirmed in his dignity by a free parliament, where he foresaw they would have considerable influence. But he hated the cavaliers, and kept them very low. This occasioned many conspiracies against him, the authors of which were rigorously punished<sup>c</sup>; particularly mr. Vowell and mr. Gerard<sup>d</sup>, the first of whom was

Id. p. 384. Conspiracies against him, and the authors severely punished.

Id. p. 384. Phillips.

<sup>b</sup> The author of Cromwell's life, says, one of the articles was, "That the Dutch should comply with the act of navigation," p. 280.

<sup>c</sup> There was a high court of justice erected on purpose, "to try such as were accused of holding a corres-

pondence with Charles Stuart, and "of having a design against the life of the protector, &c." Clarendon, t. III. p. 383.

<sup>d</sup> Rapin calls him colonel, but he was a young gentleman, and had been only ensign in the king's army. Ibid.

was hanged in London, and the other beheaded in the Tower. 1654.

At the same time, and upon the same scaffold, Don Pan-  
 taeon Sa, knight of Malta, and brother of the Portuguese  
 ambassador, lost his head. That gentleman having quar-  
 relled with the same mr. Gerard on the New Exchange,  
 returned next day with a strong retinue. Unhappily, he  
 singled out a man in the crowd whom he mistook for Ge-  
 rard, and entering into a new quarrel, killed him, and others  
 were wounded by his servants; after which, he retired to  
 his brother the ambassador's. This tumult drew the people  
 together, who surrounded the ambassador's house, and  
 threatened to drag the criminals to justice. Cromwell being  
 informed of it, dispatched an officer, with some soldiers, to  
 demand the murderers. The ambassador loudly complained  
 of the insult offered him, and demanded an audience of the  
 protector, but was refused, and told, that if the criminals  
 were not delivered, the people would not be easily appeased,  
 nor could the protector answer for the consequences: that  
 as a man had been killed, and several wounded, justice must  
 be satisfied. In the mean time, the people continued their  
 noise and menaces; so that the ambassador, seeing himself  
 too weak to resist, was at last forced to deliver up his brother,  
 and the rest that were concerned, in expectation of after-  
 wards obtaining their pardon. But Cromwell continuing  
 inflexible, the Portuguese gentleman was beheaded in the  
 Tower, and his accomplices hanged at Tyburn. I pretend  
 not to decide, whether this act of justice could be done,  
 without a violation of the privilege of ambassadors, or whe-  
 ther Cromwell had not done better, in conniving at the pri-  
 soner's escape. I shall only shew very briefly, that the present  
 juncture was not favourable to the ambassador or the king his  
 master.

Don John IV. king of Portugal, formerly duke of Bra-  
 ganza, had, in 1640, seized the crown of Portugal, pre-  
 tending, it was unjustly wrested from his ancestors by Phi-  
 lip II. of Spain. This had engaged him in a fierce war with  
 Spain, during which Charles I. had, in a treaty signed at  
 York, the 22d of May 1642, owned him for king of Por-  
 tugal. Thus the two crowns of England and Portugal were  
 in peace and alliance, before the war between Charles and  
 the parliament was declared. Upon this foundation, the  
 two princes palatine, Rupert and Maurice, the first of which  
 commanded the king's navy, being obliged in 1650, to leave  
 Ireland, where they could no longer continue in safety, sailed  
 into

The brother  
of the am-  
bassador  
from Portu-  
gal behead-  
ed.  
July 20.  
Clarendon,  
III. p. 383.  
Bates.  
Whitelock,  
p. 569.

Occasion of  
the embassy  
from Portu-  
gal.

Clarendon,  
III. p. 262,  
263, 264.  
Bates.

1654.

into the river of Lisbon. They were no sooner there, than a fleet from the parliament arrived in the mouth of the Tagus, and immediately the admiral required of the king of Portugal the delivery of the ships commanded by prince Rupert, saying, they belonged to the commonwealth of England. This demand extremely embarrassed the king. He had made an alliance with the king of England; but on the other hand, England was the king's enemy, and in that juncture, Don John was under a necessity of declaring for one or the other. Policy required a declaration for the parliament, but honour and hospitality demanded a protection for the king's ships, which were come for refuge to Portugal. This question was warmly debated in his council. The majority advised him to relinquish a king, expelled his dominions, who could do him neither good nor hurt, and thereby gain the friendship of a powerful commonwealth, from which he might expect great assistance against Spain: whereas, in declaring against the parliament, he would perhaps engage himself in fresh difficulties, at a time when all his forces were hardly sufficient to resist his enemies. But the king, by his reasons and authority, caused it to be decided, that the king of England's ships should be protected. Pursuant to this resolution, a squadron was immediately equipped of thirteen men of war, to join prince Rupert's. The two squadrons sailed together with design to fight the English, if they were between the two capes\*. For the Portuguese squadron had orders to sail no further, that it might appear, the king intended only to secure the entrance of the Tagus. Upon notice of this junction, the English admiral sailed away. But to be revenged for the protection granted to Prince Rupert's, he fell upon a Portuguese fleet returning from Brazil, and took fifteen ships. The approach of winter obliging him to return to England, the two princes palatine sailed to America, after causing a sort of rupture between England and Portugal. To adjust this difference, the king of Portugal had sent to London the conde de Penagual; his circumstances, during a war with Spain which had now lasted thirteen years, not suffering him to remain in a state of hostility with the commonwealth of England. Probably, for the same reason he did not think proper to recall his ambassador, after the execution of Don Pantaleon Sa. I do not know whether this accident did not re-  
sard

Clarendon,  
III. p. 263,  
264.

\* Cape Finisterre, and cape St. Vincent.

tard the peace between England and Portugal, which was not signed till two years after in 1656<sup>1</sup>.

Since Charles II's arrival in France, after his miraculous escape from the battle of Worcester, he had lived in extreme want, not having wherewithal to subsist. The court of France took no notice of his necessities, whether in compliance to Cromwell, or from a desire of making a strict alliance with him, or through dread of his declaring in favour of Spain. So, the king was in a melancholy state. He had even the mortification to see Monsieur de Bourdeaux, who till then had been his resident in England, appointed ambassador by the French court<sup>2</sup>, upon Cromwell's being declared protector. This alteration convinced the king, that France designed an alliance with Cromwell, and he did not doubt but the treaty would be followed with a request to him to depart the kingdom. Wherefore, to prevent this compliment, he let cardinal Mazarin know, that he intended to withdraw, which was welcome news to the cardinal. To facilitate the execution of this design, the cardinal promised him the arrears of a pension of six thousand livres a month, which had been granted him, but never regularly paid, and the continuance of the same, as long as he should be out of France. At the same time, the king received another small relief, which enabled him to discharge his debts. Prince Rupert arrived safely at Nantes with the fleet, after having lost his brother Maurice in a storm. Besides that the ships were extremely damaged, and the king unable to repair them, he was in great want of money, which determined him to sell the ships, with the ordnance and tackling. Cardinal Mazarin was the purchaser, though at a very cheap rate, if we may believe the lord Clarendon, and paid him the money without delay. After that, prince Rupert repaired to Paris, and taking leave of the king, withdrew into Germany. The king, as soon as he had received the money, left Paris, and chose Cologne for his retreat, where he continued many years.

The king, before his departure from France, sent Wil- not, now earl of Rochester, ambassador to the emperor, and some other princes of Germany, to procure a supply of money. He even applied to the pope, by the mediation of cardinal de Retz, and it is pretended, that in order to suc-

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ceed

<sup>1</sup> It was signed July 10, 1654. See Collect. of treaties, tom. III. p. 97. Life of Cromwell, p. 288.

<sup>2</sup> He made his entry into London in

great state, being attended with no less than sixty coaches. Whitelock, p. 534.

The king's condition in France. Clarendon, III. p. 393. 407. Whitelock, p. 584.

Clarendon, III. p. 339. 408.

Prince Rupert arrives in France. The king sells the ships he brought. The prince withdraws into Germany, and the king retires to Cologne. Clarendon, III. p. 400. 422.

p. 393. 394.

p. 246, 247.

1654. ceed, the cardinal prevailed with him to change his religion, and privately received his abjuration. At least, dr. Burnet, in the history of his own times, assures, that the king embraced the catholick religion before he left France, where he returned no more, after the time I am speaking of. But others, who think themselves better informed, assign this change of his religion to the year 1659.

P. 73, 74.  
Whitelocke,  
P. 579.

While the king was in this state of adversity, Cromwell was honoured, respected, and feared by all the powers of Europe, who equally courted him. In England, his enemies durst not look up; Scotland was entirely subdued, and Ireland reduced to the last extremity. But before I return to the affairs of England, it will be necessary briefly to relate what passed in Ireland and Scotland, to midsummer 1654.

Affairs of  
Ireland.  
Ludlow.  
Bates.  
Clarendon,  
III. p. 333.  
334, 335.

Since Cromwell had left Ireland in 1650, Ireton his son-in-law, who commanded there as his deputy, treated the Irish rebels, who fell into his hands, with great severity, the parliament having ordered no mercy to be shown to the massacrers. But this was not capable to lead the Irish to an union with the marquis of Ormond. On the contrary, a religious zeal prevailing among them, by the persuasions of their monks and clergy, they could not bear to be under a protestant commander. Nay, they conspired against the life of the marquis, and in an insurrection at Limerick, raised by a monk, he was in danger of being killed. At last, the Irish bishops, in a full assembly, published a declaration, protesting, they would have no communion with hereticks, nor obey the marquis of Ormond. Then, they required him to resign his command to a catholick, on whom they could better rely. The marquis being thus exposed to the suspicions and treacherous designs of the Irish, and utterly unable to restore the king's affairs, made the marquis of Clanrickard his deputy, and retired into France, from whence, afterwards, he accompanied the king to Cologne.

P. 336.

The mar-  
quis of Or-  
mond leaves  
Ireland.  
P. 337.

Ireton's  
death.  
P. 362.  
Ludlow.

The duke of  
Lorraine in-  
vited by the  
Irish to ac-  
cept their  
government.  
Clarendon,  
III. p. 363.

Ireton dying of the plague in 1651, the parliament gave the command of their forces in Ireland, to lieutenant general Edmund Ludlow, a great republican, and one of Charles the first's judges.

The Irish were not more obedient to Clanrickard than to Ormond. The catholick Clergy, and all Ulster, refused to have any society with the English, under the command of the marquis, though a catholick. It was sufficient that he had received his commission from a protestant, to render him odious. A certain number of men were therefore chosen to form

form

form a council for the administration of their affairs. This council judged it expedient to call to their assistance a foreign catholic prince, who might be capable to conduct them, and put him in possession of the government of their island. They cast their eyes on the duke of Lorrain, then at Brussels, and resolved to send deputies to treat with him. This resolution being taken, they demanded of the marquis of Clanrickard a commission for the deputies, fearing, they would be ill received, if not authorized by the king's governor in Ireland. But the marquis refused to give such a commission, till he knew the king's pleasure. This refusal inflamed their animosities against him. He was exclaimed against with great bitterness, and their deputies were sent notwithstanding his opposition<sup>b</sup>. The duke of Lorrain judged it not proper to engage in such an undertaking, without better information of some particulars, which it concerned him to know. He sent a certain abbot into Ireland, who having learned, that the affairs of the Irish were almost desperate, and this resolution taken without the consent of the king's lieutenant, refused to treat with them. The Irish, enraged with the marquis of Clanrickard for opposing their design, persecuted him several ways, and at last, treated with Ludlow, by means of a certain monk, without the marquis's privity, who seeing himself unable to serve the king, informed him of what passed, and desired leave to retire. The king readily granted his request, as seeing no way to save Ireland, and left the Irish to their own measures, whose affairs from that time daily grew worse.

It was then, and in the following years, that the Irish, wholly unable to resist the parliament forces, were exposed to the utmost severity of the English commanders. The barbarity they had exercised upon the English protestants, settled in Ireland, was justly retaliated upon them. Many were executed, and others, to the number of a hundred thousand, most of whom perished with hunger and misery, had leave to go into the service of foreign princes. The families which remained in the country, were for the most part removed into Connaught, where some lands were assigned them for their subsistence, while the rest was delivered to the adventurers, who advanced money for the Irish war.

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Part

<sup>b</sup> The lord Clarendon says, after he had been inveighed against with great violence, he could not withstand the importunity of the assembly of confident catholics, but gave his creden-

tials to the person recommended to him. However, the commissioners were resolved to follow the instructions of the assembly, and not the marquis's. Clarendon. t. III. p. 364.

1654.

Bates.

Clarendon  
III. p. 363.Rejects the  
offer.  
Id. p. 366.

1654. Part also of these confiscated lands was given to the officers and soldiers in payment of their arrears, and part was sold to the best bidders. From that time, the nation has been kept so low, that there is no appearance of its ever recovering. In 1654, Fleetwood, who had married Ireton's widow, Cromwell's daughter, was made governor of Ireland, and two years after, was succeeded by Henry Cromwell, younger son of the protector.

Sept. 19.  
Whitelock,

Affairs of  
Scotland.  
Clarendon,  
III. p. 394,  
395.  
Bates.

Burnet,  
p. 58.  
Whitelock.  
Phillips.  
Heath.

Whitelock,  
p. 597.

Cromwell  
calls a par-  
liament.  
Clarendon,  
III. p. 386.  
Whitelock,  
p. 597.  
Phillips.

Though Scotland was subdued, it was not entirely free from disturbances. The general assemblies of the kirk had been suppressed by Cromwell, knowing, that from thence flowed all the troubles which had been for so many years in Scotland. Besides, as it was his intention to introduce in that kingdom a liberty of conscience as well as in England, he knew, it would be impossible to execute his design so long as these assemblies subsisted. The people of Scotland were enraged at a liberty so contrary to their covenant, and the maxims of the kirk. They sufficiently discovered their sentiments, though to no purpose, since they had neither places, nor forces, nor arms, nor leaders, to enable them to attempt a deliverance. On the other hand, some lords and gentlemen of the king's party still kept in the high-lands, with troops under the command of the earl of Glencarn. But these troops, neither well armed nor disciplined, were defeated by colonel Morgan<sup>1</sup>. Nevertheless, with the remains of their troops, they still kept in some inaccessible places, where it was impossible to attack them. But at last, discord arising among them, they were forced to send to the king for colonel Middleton and obtained his consent. On Middleton's arrival, Glencarn quitted them; and made his own peace. Middleton supported the remains of this party about a year, and then was obliged to forsake it, seeing it was not possible to do the king any notable service in that country. It is time now to return to the affairs of England.

As, by the instrument of government, a parliament was to assemble the 3d of September, Cromwell called one for that day. But in his writs for election of members, there was a strict order not to elect any persons, or their sons, who had borne arms for the king; and this was punctually obeyed. A new regulation was likewise made to proportion the number

<sup>1</sup> The Scots had eight hundred horse, and three thousand foot; and Morgan eight hundred and fifty horse, and sixteen hundred foot. Whitelock, p.

588.—The Scots sent an invitation to king Charles to come among them, but he did not think proper so to do. Burnet, p. 60.

ber of representatives to the largeness of the boroughs and 1654.  
counties, and to their respective shares of the publick ex-  
pences. This regulation, as being very just in itself met  
with universal approbation <sup>k</sup>.

The parliament being assembled, Cromwell made a speech His speech  
in the Painted Chamber, where the house waited on him. to it.  
He briefly touched upon the disorders of the preceding go- Septemb. 4.  
vernment, and endeavoured to justify the present establish- Clarendon,  
ment. After an assurance of his good intentions, he re- III. 387.  
presented to them his services for the nation, since the dis- Whitelock,  
solution of the long parliament, and told them, he had P. 599.  
called a free parliament, agreeably to the desire of all good  
Englishmen: adding, that he did not speak to them as one  
that would be a lord over them, but as one that would be  
a fellow servant, in the great affair of settling the govern-  
ment.

Cromwell hoped, this parliament, free indeed, excepting  
the exclusion of the royalists, who could not have been ad-  
mitted with safety, would confirm his protectoral dignity,  
and that the confirmation of a free parliament, would stop  
the mouths of his enemies. Upon his own recommendation, Lenthall  
Lenthall, speaker of the long parliament, was chosen again made speak-  
to that post. It appeared very soon, that the parliament had er.  
many members who were enemies of tyranny, and having Clarendon,  
served in the long parliament, had imbibed maxims very con- III. p. 387.  
trary to those established by Cromwell. The first thing pro- Whitelock.  
posed, was to examine by what authority they were assem- Cromwell's  
bled; a question unexpected by Cromwell. In all appear- power ques-  
ance, his enemies designed to give him a mortal blow, by a tioned.  
decision that his authority was imaginary and illegal, as in- Clarendon,  
deed it was. Perhaps too, the parliament intended to seize III. p. 388.  
the sovereign power, though convened by an unlawful au-  
thority. Cromwell himself had given them an instance of  
what could be done with the assistance of force. But as he  
had

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<sup>k</sup> By the 9th and 10th articles of the instrument of government (which see in Whitelock, p. 552.) It was provided, that the persons to be chosen in England and Wales, should not exceed four hundred. Those for Scotland and Ireland (for the three kingdoms united in one commonwealth, and the isles of Jersey and Guernsey were also included) were to be thirty for each kingdom. Then the persons to be chosen in England and Wales were to be in a certain propor-

tion there set down at large. A proportion, which it would have been well for England, had it been always observed, the little insignificant boroughs being omitted, and the number of the knights of the shire increased from four to twelve, according to the extent of the county. This (says the lord Clarendon) was then generally looked upon as an alteration fit to be more warrantably made, and in a better time. Tom. III. p. 387.

1654. had friends, as well as enemies, in the house, he found means to make them lose time, by the opposition they met with, from the officers and others who espoused his interest, whether through friendship or fear. So though he could not hinder the frequent debates on this question, he gave his enemies cause to apprehend, that they should not carry it, when it came to be decided. At last, perceiving they only waited a favourable opportunity to put the question, he sent for the

He speaks to the house with heat and resentment.

Bates.  
Clarendon,  
III. p. 389.  
Whitelock,  
p. 605.

members to meet him in the Painted chamber. Though in his first speech he told them, that he would only be their fellow servant, in this he spoke as their lord, and told them they were too free in calling an established government into question, from which themselves had derived their authority, since if they were not lawfully convened, they had no power to debate. At their return to the house they found a guard at the door, refusing entrance to any person, who would not first sign an engagement in these words——

“ I A. B. do hereby freely promise and engage myself, to be true and faithful to the lord protector, and to the commonwealth of England, Scotland, and Ireland, and shall not (according to the tenor of the indenture, whereby I am returned to serve in this present parliament) propose or give any consent to alter the government, as it is settled in one single person and a parliament.” Many refusing to sign this engagement, were excluded from the house.

Excludes several members.  
Whitelock.

Notwithstanding all this, the members themselves, who had signed the engagement, were not more tractable, and ceased not to show their ill will to Cromwell. They had only signed to have it in their power to destroy him, when a favourable occasion offered, which they hoped would not be long. A plot was formed chiefly by the cavaliers, but

1654-5.

Disolves it.  
Clarendon,  
III. p. 389.  
Whitelock,  
p. 618.

with the privity of many members of parliament, to raise an army in several parts of the kingdom. Cromwell being informed of it by his spies, prevented the design of his enemies, by a dissolution of the parliament eleven days before the time fixed for its continuance, by the instrument of government<sup>m</sup>, namely, on the 22d of January. At the dissolution

<sup>1</sup> This year (on November 30) died the learned John Selden.—As also mr. Dodderworth, who had the chief hand in compiling the *Monasticon Anglicanum*. And Henry Elfyng, clerk of the long parliament.

<sup>m</sup> By the VIIIth article of the in-

strument of government, the parliament was not, during the space of five months, to be accounted from the day of their first meeting, to be adjourned, prorogued, or dissolved, without their own consent. Whitelock, p. 572.

lation he told the members, he was not ignoant of their projects, and that several were engaged in a conspiracy against the government.<sup>a</sup> 1655.

It was not without foundation that he mentioned a conspiracy, which was now ready to open. Though he was not informed of all the particulars, he knew, however, in general, that an insurrection was intended in several places, and had the names of some that were to be the principal actors. Two days after the dissolution of the parliament, February 13. major Wildman was arrested by his order, and a declaration was found in his house, containing the reasons which obliged the English to take up arms against Cromwell.<sup>b</sup> Some others, as well republicans as royalists, were also apprehended. Plots against the protector. Clarendon, III. p. 389. 390. Whitelock, p. 618.

Since the king's retreat to Cologne, he had received frequent expresses from his friends, informing him of the general dislike of Cromwell's government, and of the favourable opportunity for a general rising. What they said concerning the general discontent, was very true. But they built upon a false principle, which had often deceived Charles I. and now likewise deceived them. They imagined, that all who were displeased with the government were disposed to serve the king, and restore him without any condition. Indeed, the presbyterians would have gladly restored the king, provided it was on the terms granted by the king his father in the treaty of Newport, that is, with the limitation of the royal power, and the establishment of the presbyterian government in the church. But it was not likely, Charles II. being at liberty, would grant the same conditions as were accepted by Charles I. under confinement. On the other hand, it is also true, that in general, the independents, anabaptists, and in a word, all the zealous republicans, were enemies of Cromwell since his seizing the government, and that in the army itself there was a strong party against him. But nothing was farther from these men's thoughts, than the king's restoration, and yet the royalists imagined, all Cromwell's enemies would strive to restore the king to the throne, as if there was no possibility of being enemy to the protector, without being devoted

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<sup>a</sup> See his long speech in Whitelock, p. 610.—618. He says, the parliament was dissolved January 31. p. 610.—Before their dissolution they voted him and his successors, a revenue of two hundred thousand pounds a year p. 609.

<sup>b</sup> The title of it was, "The de-

claration of the free and well affected people of England, now in arms against the tyrant Oliver Cromwell, esq;." See it in Whitelock, p. 618, who says, "many who viewed it, knew there was too much truth in it."

1655. devoted to the king. Upon this foundation it was, that they formed the project of an insurrection in the west, and of another in the north, not doubting of the army's joining, or at least suffering the cavaliers to act undisturbed against Cromwell. This project was communicated to the king, who approved of it as well as of the day appointed for the execution, namely the 18th of April. The king dispatched the necessary commissions, and privately came into Zealand to be ready to pass into England if the undertaking should be crowned with success. At the same time, Wilmot earl of Rochester repaired secretly to London<sup>p</sup>, with sir Joseph Wagstaff, who had been major-general in the army of the late king. At London their friends were consulted, and it was resolved, Wagstaff should conduct the insurrection which was to be in the west, and the earl of Rochester that in the north<sup>q</sup>.

On the day appointed, Wagstaff came within two miles of Salisbury, where he found Penruddock, a Cornish gentleman, Jones, Grove, and some others, who had assembled about two hundred horse. With this small force, they entered Salisbury without any opposition. For as it was then the time of the assizes, little notice was taken of those who entered the city. The market place was immediately seized, and all the stables locked up, that the horses might be at their devotion. After this, the judges were seized, with the sheriff, and were in great danger of being hanged for their refusal to proclaim the king, who notwithstanding was proclaimed. But soon after, the conspirators perceiving, that the inhabitants remained in their houses, without offering to join them, they were discouraged, and leaving the town, took the western rout. A troop of horse, accidentally quartered in the neighbourhood, pursued and inspired them with such terror, that at their approach, they laid down their arms. Wagstaff fortunately escaped, but Penruddock, Grove and Jones were taken. The two first were beheaded, and the other hanged<sup>r</sup>. Notwithstanding the great hopes conceived by the royalists of a general rising throughout the kingdom, the people no where attempted to favour the enterprise. It is impossible to know what would have been

Salisbury  
surprized.  
March 11.  
Ibid.  
Whitelock,  
p. 620.  
Phillips.

Clarendon,  
III. p. 434.  
435.  
Whitelock.  
The conspirators defeated.  
Three of them executed.  
May 16.  
Ibid.

<sup>p</sup> For fear somebody should be general before him, in case the plot succeeded. Clarendon. tom. III. p. 431.  
<sup>q</sup> He sent sir Marmaduke Darcy, a gallant gentleman, and nobly allied in those parts, to prepare the king's party there. Ibid. p. 433.

<sup>r</sup> Others say, Jones was relieved. Rapin, by mistake says, Grove was hanged, but he was beheaded at Exeter, with Penruddock. Clarendon, t. III. p. 435.

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been the behaviour of the army, since there was no necessity of their being assembled, this affair being ended in two or three days. One may here remark, what commonly happens on these occasions, namely, that the contrivers of such projects, keeping company for the most part with only men of their own party, are apt to believe the whole nation to be in the sentiments of those with whom they converse, wherein they are frequently mistaken. This was, as it were, the peculiar weakness of the royalists, of which the earl of Clarendon's history furnishes various instances.

The insurrection in the north vanished before it was begun to be executed. The earl of Rochester repaired to the county of York, where he found some gentlemen zealous for the king's service. But after an inquiry into what they could perform, he thought it not proper to make any attempt, but returned to the king with an account of what had passed.

The king, having lost the hopes he had been made to conceive, returned to Cologne. Soon after his arrival, it was discovered, that one of his domesticks, named Manning, lately come from England, held a secret correspondence with Thurlo, Cromwell's secretary, and acquainted him with the transactions of the king's court. He was apprehended and shot to death in a castle belonging to the duke of Newburg. It is now time to speak of Cromwell's affairs with France and Spain.

In the reign of Charles I. cardinal Richelieu, as hath been said, was concerned in the troubles of Scotland in the year 1637, from which those of England were afterwards produced. The court of France all along seemed to espouse the interest of Charles I. during his life, but never gave him any real assistance. Cardinal Richelieu believed, that nothing could more advance his project of humbling the house of Austria, than to prevent England from assisting Spain, in order to preserve the balance of Europe, as the interest of England required. For this reason, that able minister, instead of assisting Charles I. thought only of fomenting the troubles of England. Cardinal Mazarin his successor, under the minority of Lewis XIV. followed the same maxim, and never gave any real assistance to Charles. But it may be said, he carried this policy too far, since instead of keeping the balance even between the king and the parliament, he gave the parliament room to acquire a superiority, which might become very prejudicial to France. After the death of Charles I. the commonwealth of England grew so powerful, that it was too late to endeavour to weaken it, especially

The design in the north comes to nothing. Clarendon, III. p. 436.

Manning, Cromwell's spy, executed Clarendon, III. p. 437 — 443. Phillips.

Affairs between France and England.

1655. as France was then engaged in a war with Spain. If France had assisted Charles II. she would have run the risk of seeing the parliament in alliance with Spain, which in that juncture was not to be hazarded. For this reason, the interests of Charles II. were entirely abandoned by France, and all his assistance from thence was a pension too inconsiderable for his subsistence. And even this was privately, lest the parliament should be jealous. The English feared her so little, that in 1652, their fleet made no scruple to attack that of France, sent to the relief of Dunkirk besieged by the Spaniards, and taken by them the same year. Notwithstanding that affront, France sent an ambassador to the parliament to desire their friendship. Cromwell, when advanced to the protectorate, held, for some time, the two crowns of France and Spain in suspense, equally flattering both kingdoms with hopes of the friendship of England. But it appeared afterwards, he only intended to amuse Spain, being resolved to make an alliance with France.

Clarendon,  
III. p. 359.  
Whitelock.

Affairs  
between  
England and  
Spain.  
Clarendon,  
III. p. 279.  
288.

Id. p. 235  
—295.

Id. p. 289.

Cromwell  
resolves  
upon a war  
with Spain.  
Probable  
grounds of  
this war.

Spain had given no more assistance to Charles I. than France. On the contrary, Don Alenzo de Cardenas, the Spanish ambassador in England, had shewn a partiality for the parliament, which was considered by Charles as a sort of declaration against him. After the death of Charles I. the king of Spain paid great regard to the parliament, and gave them no just cause to make war upon him. All that England could reproach him with, was, his receiving, though very coldly, in 1649, lord Cottington, and mr. Hyde as ambassadors from Charles II. but without entering with them into any negotiation, that might create jealousy in the parliament. The sole design of this embassy was, to procure some money from the Spanish court for the king's subsistence, in which the ambassadors were unsuccessful. The murder of Alcham, the parliament's envoy at Madrid, by some Irish, and the little zeal shewn by the court of Spain to punish the murderers, might be another cause of complaint. But things of this nature are liable to so many discussions, that it is difficult to know, whether it was in the king of Spain's power to give the parliament an entire satisfaction. However that be, these causes of complaint did not seem of sufficient weight to breed a war between the two nations. Nevertheless, Cromwell, now made protector, had no sooner concluded a peace with Holland, than he resolved to attack Spain. The grounds of this war are not easy to be guessed, but what may

It is probable, the chief motive of it was, that he might be able, with the help of Spanish gold, to carry on his design in England, without depending upon a parliament for money. Welwood, p. 100.

may be conjectured is this. Cromwell, as I observed, intended to be confirmed by a parliament, in his protectoral dignity received only from the officers of the army. It concerned him therefore first, to render some signal service to the state, in order to make his usurpation pass the more peaceably. Secondly, as Spain was then upon the decline, he believed perhaps, it would be easy to make some conquest upon that crown, which might render his protectorate famous, and show the English that if he sought to advance himself, it was in order to be more serviceable to the republick. Thirdly, it is likely, Mazarin was concerned in this resolution, in order to give a powerful diversion to Spain.

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However this be, Cromwell on his advancement to the protectorship, sent out two fleets, one under the command of Blake, to the Mediterranean to chastise the Algerines, who frequently took English vessels, and the other under Penn, with thirty ships, and about five thousand land soldiers commanded by Venables<sup>t</sup>. The two last commanders had sealed orders from Cromwell, which were to be opened at a prefixed time<sup>u</sup>. This fleet sailed from Portsmouth the 27th of December, and arrived at Barbadoes the 28th of January, from whence they sailed again the 30th of March 1655. By the sealed orders, the two commanders were to proceed to Hispaniola and take St. Domingo the capital of the island. Cromwell's instructions for this undertaking were so particular and circumstantial, that they appeared to be drawn by men thoroughly acquainted with the country<sup>v</sup>. At the approach of the English fleet the Spaniards abandoned St. Domingo. But Venables, instead of landing his troops<sup>x</sup>, according to his instructions, within a mile of the place, disembarked them at a much greater distance<sup>y</sup>. This gave the inhabitants time to come to themselves, return to the town, and put it in a posture of defence. The English, when they approached Domingo, were so fatigued, by a long

A design upon St. Domingo, Clarendon, III. p. 452, 453. Bates. Whitelock, Burnet. Phillips. Ludlow.

April. Whitelock.

Miscarries.

<sup>t</sup> A gentleman of a good family in Cheshire. Clarendon, tom. III. p. 451.

<sup>u</sup> People could not imagine where the fleet was to go. Some fancied it was to rob the church of Loretto, which occasioned a fortification to be drawn round it: others talked of Rome itself; others of Cadiz, &c. Burnet, p. 75.

<sup>v</sup> 'Tis said Thomas Gage, who had been a priest, and was come from the West-Indies, engaged him in this de-

sign, by giving him an account of the weakness as well as riches of the Spaniards in those parts. Burnet, p. 74. Whitelock, p. 621.

<sup>x</sup> Venables had in all, reckoning the forces he took up at Barbadoes, above nine thousand men; with a troop of horse. Clarendon, tom. III. p. 453.

<sup>y</sup> Ten leagues more westward. Whitelock, p. 627.

1655. long march, by the excessive heat, by hunger and thirst, that they were easily repulsed, and forced to retire to their ships, leaving many dead and wounded in the island.

Conquest of Jamaica. May 17. Clarendon, III. p. 454. Whitelock. This attempt miscarrying, the English fleet failed to Jamaica, and seized the island with little opposition. Some troops were left there, which were afterwards reinforced by Cromwell, in order to preserve this conquest, where the English have since established a rich colony. Venables was sent to the Tower on his return to London, but soon dis-

The king of Spain seizes the effects of the English merchants. Ibid. R. Coke. charged. The war being sufficiently declared by this attempt which the Spaniards had no cause to expect, the king of Spain ordered the effects of the English merchants in all his dominions to be seized, which was a very considerable loss to them. Nor did the mischief stop there; for by this war so unjustly undertaken, the English forfeited the Spanish trade, which transferred to the Dutch, helped them to repair the losses sustained in the last war.

Peace made with France. October 23. Clarendon, III. p. 455. Whitelock. Phillips. The war with Spain was soon followed by a peace with France, proclaimed at London the 23d of October. This peace was easily made, since France was willing to forget the injury received from the English in 1652. The point was only to renew the ancient treaties, to which there was no obstacle, after Cromwell's declaration against Spain<sup>2</sup>.

Cromwell surrounded with enemies. Burnet. p. 65. Besides the insurrections and conspiracies from the cavaliers and presbyterians, Cromwell was also in danger from the malecontents of his own party, who had effectually served him, without knowing what were his designs, but who were extremely provoked at their having been tools to his private ambition. The republicans were incensed against him. The republican government was as much their idol as the covenant was that of the presbyterians. So Cromwell by being invested with the protectorship, had offended them no less than the cavaliers and presbyterians. It was not easy to curb three parties, which, if they could have resolved to unite, would have been strong enough to ruin him. But he knew such an union was very difficult, and yet

<sup>2</sup> This confederacy was dearly purchased on the part of England, for by it the balance of the two crowns of France and Spain was destroyed, and a foundation laid for the future greatness of the French, to the unspeakable prejudice of all Europe in general, and of the English nation in particular, whose interest it had been hitherto accounted to maintain that equality as near as

might be. Ludlow, tom. II. p. 559.— It is very remarkable, that, in this treaty, Cromwell would not allow the French king to call himself king of France, but of the French; when he himself assumed the title of protector of England and France. And, what is more, in the instrument of the treaty, Cromwell's name was put before the French king's. Welwood, p. 99.

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yet it was not impossible, that particular men of each party, whether openly or privately, might combine for his destruction. The army was his only support, in which too there were republicans who hated him mortally, as appears in the memoirs of Ludlow, one of the most inveterate against him. Nay very likely, if he had been obliged to assemble the dispersed army, and the officers could have communicated their thoughts to one another, they would not have entirely obeyed him. As to the royalists, he never wanted pretences to persecute them, which not only pleased the other parties, but was agreeable to their interests. As for the presbyterians, as they were equally enemies of the cavaliers and independents, in keeping them low, he obliged these two parties, who knew if the presbyterians should again be superior, they would treat them no better than Cromwell. But the rigid republicans were his most dreaded enemies, because he had no pretence against them. They had the more cause to complain, and speak freely, as Cromwell, being their head, had made use of them, under colour of acting for the publick, and brought them to labour for his own private advancement. So, to hold all these parties in subjection, he divided England into eleven districts, and established in each, officers, whom he called major-generals, with an almost absolute power, that they might be always ready to prevent or disperse insurrections. In this establishment his principal view was to awe the republicans, though the pretence was to curb the cavaliers. These major-generals became true tyrants, and so oppressed the people, that Cromwell at last was forced to reduce their power within much narrower bounds<sup>a</sup>.

Constitutes  
major-ge-  
nerals.  
Octob.  
Clarendon,  
Id. p. 458.  
Whitelock,  
p. 634.  
Ludlow.

Though Cromwell's ambition inclined him to support by force the dignity conferred on him, he saw the ridiculousness of exercising an authority given by men who had no lawful power to bestow it. He easily perceived it to be a fertile source of plots and conspiracies against his person and government. There was no law by which he could punish the

Resolves to  
call a par-  
liament.  
Clarendon,  
III. p. 460.

<sup>a</sup> Bates makes the number of districts to be fourteen. The major-generals were, Kelsey, Goff, Desborough, Fleetwood, Skippon, Whaley, Butler, Berry, Wortley, Lambert, Berkhead, who was also lieutenant of the Tower. They had all the authority which was before divided among committee-men, justices of peace, and other officers. They could commit to prison

all suspected persons; levied monies; sequestered those who refused to pay; had power to lift horse and foot upon occasion; and from them lay no appeal, but to the protector himself. Clarendon says, there were twelve. tom. III. p. 458.—This year died James Stuart, duke of Richmond, and the learned James Usher, primate of Ar-magh.

**1656-7.** In January 1656-7, a conspiracy against his person, was discovered by Cromwell, by one Sindercomb, discharged out of his guards. This man being convicted, and condemned to die, was found dead in prison, the day on which he was to be executed <sup>c</sup>.

Jan. 19.  
Clarendon.  
Whitelock,  
p. 654.

**1657.** About two months after, some anabaptists were discovered, who had projected to kill Cromwell. Major-General Harrison, vice-admiral Lawson, colonel Rich, major Danvers, and some others, all anabaptists, on suspicion of being concerned in the conspiracy, were put under an arrest.

Id. p. 655.

Blake's attempt upon the galeons at St. Croix in the Canary isles.  
April.  
Clarendon,  
III. p. 469.

Since Blake and Montague had taken the two prizes, they had continued cruising off Cadiz, in expectation of the Spanish fleet returning from Peru. As this fleet did not appear, though it should now have been arrived, Blake had notice, it was retired to Teneriff, one of the Canaries, till the English fleet should be sailed from Cadiz. Whereupon, he stood for the Canaries, the beginning of April, and found there the Spanish fleet consisting of six galeons richly laden, and ten other ships of less burthen. The commander of this fleet had anchored in the bay of Santa Cruz, and taken all imaginable care to secure himself against an attack. The ten smaller ships were moored close to the land, and defended by two forts well mounted with guns, and several batteries erected on the shore. But the galeons drawing more water, could not come so near the land, but lay farther off, with their broadsides towards the sea. Blake seeing no possibility of approaching the ten ships, resolved, notwithstanding the rashness of the undertaking, to attack the galeons. Accordingly, with a fair wind, he approached the galeons, received their fire, and boarded them. The particulars of this engagement are very confusedly related by the historians. Thus much, however, is certain, that Blake, after an obstinate fight, possessed himself of the galeons, and as the wind, which had brought him into the bay, would not serve to carry them out, set them on fire. Immediately after, a land breeze arising, put him safe to sea again. The Spaniards on this occasion sustained a very great loss, in ships, money, men, and merchandize: but the English acquired nothing but glory. Blake dying in his return to England,

Destroys them.

Sept. 4.  
Clarendon,  
III. p. 471.

<sup>c</sup> He was tried at the upper-bench-bar. The court declared, "that by the common law, to compass or imagine the death of the chief magistrate, by what name soever he was called,

"whether lord protector, or otherwise, is high treason, and that the statute of 25 Edward III. was only declaratory of the common law." Whitelock, p. 655.

England, was pompously buried by Cromwell, in Henry the VIII<sup>th</sup>'s chapel, among the monuments of the kings<sup>d</sup>.

The parliament, which met the 17<sup>th</sup> of September, continued their session without interruption, being employed in the most important affair that could ever come under their consideration. Whether Cromwell had now formed the project of his higher advancement, or the disposition of the house in his favour, inspired him with the thought, he suddenly became more popular than ever. He caressed all parties alike. The presbyterians were told, he was not far from their sentiments; the nobility met with great respect from him; and he appeared less incensed against the king's party. At last, after his friends and creatures had been long labouring to dispose men in his favour, Mr. Pack, a member of parliament, and one of the city aldermen, proposed, in direct terms, that he might be invested with the title of king. This proposition was immediately seconded by a great many members<sup>e</sup>, and it was even observed, that his known enemies very readily gave their consent to it. These imagined, there was no better way to ruin him, and excite plots against his life. But for the same reason, his principal friends opposed it with all their power. It is, nevertheless, very probable, he was privy to this proposal, though he thought not fit to tell it to Desborough his brother-in-law, or Fleetwood his son-in-law, from whom it met with the greatest opposition. This contrast between Cromwell's friends, held those in suspense, who only intended to make their court to him, and caused them to be irresolute. Wherefore the proposal was debated in the house two days successively. In all appearance, the irresolute were informed, in this interval, what they were to do. However that be, it was at last carried by a majority of voices, that the crown should be offered to Cromwell. Pursuant to this resolution, the house immediately appointed a committee, to acquaint his highness with what had been resolved for the publick good. He seemed surprized at the offer, and told the committee, he thought it very strange, the parliament should entertain such a design: That he did not believe it proper for them to offer, nor would his conscience give him leave to accept it. The committee expecting this answer, replied, they did not question but he would grant

Debates in the house concerning making an offer of the crown to Cromwell. Burnet, p. 67, &c. Clarendon, III. p. 461. Whitelock. The proposal brought in by an alderman of London, and encouraged by others. Feb. 22. Dugdale's View. Ludlow. Clarendon, III. p. 462.

Cromwell waited on by a committee, with the offer of the crown. April 9. Clarendon, III. p. 463. Heath.

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<sup>d</sup> He was (says Whitelock) a man of as much gallantry and sincerity as any in his time, and as successful.

<sup>e</sup> Particularly by Charles Boyle lord Broghill, chief justice Glynn, &c. Life of Cromwell, p. 363.

1657. their desire, when he should be informed of the reasons which had induced the parliament to take this resolution, and which they besought him only to hear. Whereupon, he appointed a day to hear what they had to say to him<sup>f</sup>.

Reasons laid before him to prevail with him to accept it.

Apr. 11, 12.  
Clarendon,  
III. p. 463.

The committee<sup>g</sup>, on the day appointed, entertained him with long discourses, concerning the reasons on which the parliament founded their request, of which the principal were: "that the people of England had for many ages been accustomed to the government of kings: that in changing this government, there had necessarily been an abolition of many laws, customs, and formalities, and an establishment of others, which would never be endured by the people on account of their novelty: that according to the laws of England, there could be no security to any act concerning the government, without the intervention and authority of a king: that hitherto those concerned in the war, and the late changes, could not be safe, but would remain liable to dangerous inquisitions, agreeable to the laws of the land: that the daily conspiracies against the present government, clearly shewed, the people were inclined to a king, nor would be satisfied without one: in a word, that the kingdom would never be in peace, till things were brought back to their antient channel. That it was very true, the royal family had been rejected on account of their tyrannies; but this was no objection to the choice of a king of another family, nor could any kingdom be produced, where the like had not happened; as well as in England."

These same reasons had been alledged in the debates in the house, and were answered by the republicans to this effect: "that an oath had been taken to be faithful to the commonwealth without a king; and to make a new king, was returning to Egypt. Where was the necessity of recurring to kings, since it was agreed, they invaded the rights of the subject? that it was advantageous that all  
" the

<sup>f</sup> Whitelock's account is thus: the parliament had been long about the settling of the nation, and had framed a writing, which they filed, the humble petition and advice of the parliament of England, Scotland, and Ireland, to his highness. The first business of it was, for the protector to have the title of king. This petition and advice was presented to his highness by the house, and he desired that a committee might be appointed to confer with him about it; which was named, and Whitelock one of the committee was

made chairman. When the committee attended his highness, Whitelock spoke to him upon the title of king, giving reasons why he should accept of it. The protector urged his reasons against it, and Whitelock replied. The whole debate is in print. Whitelock, p. 655.

<sup>g</sup> Of this committee Whitelock was chairman; and the chief speakers were, the lord Broghill, Mr. St. John, Glynn, Fiennes, Lisle, Lenthal, sir Charles Wolfey, sir Richard Onslow, and colonel Jones. Life of Cromwell, p. 364.

"the subjects should be equally liable to be called to an account, that they might be more united amongst themselves. That if a king was at last necessary, they would chuse rather to have the true heir to the crown." Cromwell was not unacquainted with the reasons alledged on both sides in the house, and therefore to show, he would neither accept nor refuse the offer without deliberation, he appointed the 8th of May for his final answer.

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It is pretended, that in this interval, he was in the utmost distraction, not knowing what to determine. His ambition prompted him to accept the offered crown, the whole intrigue probably being directed by himself. But the disposition of his relations and principal friends made him tremble. For how could he promise himself allegiance from strangers, when he saw his own most intimate friends determined to abandon him? Nay, it is said, some of them threatened to kill him, and that he was informed of a plot to assassinate him, the moment he accepted the crown. The very day, he was to give his answer, Desborough and Fleetwood, walking with him in St. James's park, told him, if he accepted the crown, they could serve him no longer. He was discouraged by all these things, at the very instant the crown was going to be placed on his head. His answer therefore to the committee was, that he could not accept the government under the title of a king<sup>a</sup>. Whether this refusal was for or against his interest, is a problem that admits of great dispute. For my part, I believe, that being so able a politician, he did not think the advantages equal to the inconveniences, of accepting the crown.

He is greatly perplexed what choice to make. Whitelock. p. 556. Clarendon, III. p. 465.

Burnet's Hist. p. 70.

Refuses the crown. May 8. Clarendon, III. p. 465. Heath.

Nevertheless, to reward in some measure so great a moderation, the parliament confirmed his dignity of protector, with more power than was annexed to it by the council of officers. This was done by a solemn instrument, called the humble petition and advice<sup>b</sup>, the parliament thereby showing it was not a law to be imposed on him but an advice, which was submitted to his judgment and discretion, with freedom to accept or refuse it, as he should think proper.

Is confirmed in his protectorship by the parliament. Whitelock, Ludlow. t. II. p. 591.

The substance of it was:

"That his highness Oliver Cromwell should, under the title of protector, be pleased to execute the office of chief magistrate, over England, Scotland and Ireland, and the

Contents of the act of the humble petition and advice.

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"territory

<sup>b</sup> Though a crown was actually made, and brought to Whitehall. Whitelock, p. 100.

<sup>i</sup> The reader may see it at large in Whitelock's Mem. p. 657.

Whitelock, p. 657. Clarendon, III. p. 466.

1657.

“ territories and the dominions thereunto belonging, and to govern according to all things in that petition and advice. And also that he would in his life time appoint the person that should succeed him in the government: that he would call a parliament consisting of two houses once in a year <sup>k</sup>, at farthest: that those persons who are legally chosen by a free election of the people to serve in parliament, may not be excluded from doing their duties, but by consent of that house whereof they are members: that none but those under the qualifications therein mentioned, should be capable to serve as members in parliament: that the power of the other house be limited as therein is prescribed: that the laws and statutes of the land be observed and kept; no laws altered, suspended, abrogated, or repealed, but by new laws made by act of parliament: that the yearly sum of a million of pounds sterling be settled for the maintenance of the navy and army; and three hundred thousand pounds for the support of the government; besides other temporary supplies as the commons in parliament shall see the necessities of the nation to require: that the number of the protector's council shall not exceed one and twenty, whereof seven shall be a quorum <sup>l</sup>. The chief officers of the state, as chancellors, keepers of the great seal, &c. to be approved by parliament: that his highness would encourage a godly ministry in these nations; and that such as do revile and disturb them in the worship of God, may be punished according to law; and where laws are defective, new ones to be made: that the protestant christian religion, as it is contained in the Old and New Testament, be asserted and held forth for the publick profession of these nations, and no other; and that a confession of faith be agreed upon, and recommended to the people of these nations; and none to be permitted, by words, or writing, to revile or reproach the said confession of faith.”

The general terms in which the three last articles concerning religion are expressed, plainly show, that the intention of the parliament, or rather of Cromwell who directed them, was, to oblige equally the presbyterians and independents,

<sup>k</sup> Once in three years, or oftener. *Ibid.*

<sup>l</sup> This expression is taken from the clause inserted in most commissions, in which, after the number of commissioners is fixed, the king appoints some

particular persons amongst them, who are to be present to give a validity to all acts done in virtue of the commission, and this he does by saying, a quorum esse numero volumus, &c. *Rapin.*

dents. The first, by supporting the ministry, upon the present establishment, and the others, by introducing into religion, a latitude which left every man free to believe and practise as he pleased, and both parties, by equally flattering them with a confession of faith, in which each party should find their account. The episcopalians alone could not expect any advantage. 1657.

Cromwell having solemnly sworn the punctual observation of these articles, appointed the 26th of June for the day of his inauguration, which was performed with great pomp. He was, doubtless, of opinion, that this second inauguration was necessary to supply the defects of the first, which had been made without any lawful authority. This done, the house adjourned to the 20th of January 1657-8.

Since the renewal of the antient treaties between France and England, another negotiation was begun for a league offensive and defensive against Spain. This negotiation set on foot by the ambassador of France in 1656, at London, was concluded at Paris the 13th of March 1657, by a treaty of league, importing, that Cromwell should join six thousand men with the French army; that Mardyke and Dunkirk should be besieged, and when taken, delivered to the English.

### King

At a place being prepared at the upper end of Westminster-hall, in the midst of it was set a rich cloth of state, with a chair of state under it, upon an ascent of two steps. Before it a table and chair for the speaker, and on each side of the hall covered seats one over another, for the members. About two o'clock his highness came, the earl of Warwick carrying the sword before him (and being the only nobleman that was present at that solemnity, says Ludlow, tom. II. p. 592.) and the lord mayor of London, with the city sword. His highness standing under the cloth of state, the speaker presented to him a robe of purple velvet lined with ermine, which sir T. Widdrington the speaker, assisted by Whitelock, put upon him. Then he delivered to him the bible richly gilt and bossed; after that he girt on his sword, and delivered into his hands the scepter of massy gold, and then made a speech to him, and gave him the oath. After this, the people gave several shouts, and the

trumpets sounded; the protector sat in the chair of state, holding the scepter in his hand; on his right side sat the ambassador of France, on the left the ambassador of the United Provinces: near him stood his son Richard, Fleetwood lord deputy of Ireland, Claypole master of the horse, the council and others of state. The earl of Warwick held the sword on the right, and the lord mayor the city sword on the left side of the chair. Near the earl of Warwick stood viscount Lisle, general Montague, and Whitelock, each of them with a drawn sword in their hands. Then the trumpets sounded, and a herald proclaimed his highness's title, and proclamation was made to the people, crying, God save the protector. The ceremonies being ended, he went in state to Westminsterhall gate, where he took coach, and went to the house, and passed some bills, Whitelock, p. 662.

Some authors, by confounding these two treaties, the one of the 23d

1657.

King  
Charles  
makes an  
alliance  
with Spain.  
Clarendon,  
III. p. 455,  
456, 457.

King Charles being informed of this negotiation, sent a trusty messenger to archduke Leopold, still governor of the Low Countries, to offer a league with Spain. The king's design was to give himself some reputation by a league with that crown; and, besides, he wished to reside in the Low Countries in order to be nearer England, in case his presence there should be necessary. The archduke accepted the proposal, believing, if the king of England was attached to Spain, he would have credit enough to draw the Irish forces from the French, into the Spanish service. This was all the advantage Spain could expect from a junction with a prince, who had properly nothing to offer. Besides he was to be subsisted, when he should be deserted by France. However this be, the king and the archduke concluded a treaty, by which the king's residence at Bruges was only to be connived at by Spain, which was little able to maintain him according to his dignity. Spain was moreover to furnish him with six thousand men, as soon as he should be possessed of some good port in England. The king, satisfied with these conditions, because he had nothing to offer to procure better, signed the treaty which was ratified by the king of Spain. With the ratification, Phillip settled upon the king a monthly pension of six thousand guilders, and another of three thousand upon the duke of Gloucester, who had been sent for out of France by his brother the king, where his mother was persuading him to change his religion. So, the king left Cologne in April 1657, and retired to Bruges, at the same time that archduke Leopold resigned the government of the Low Countries to Don John of Austria, natural son of Philip IV. Afterwards, the king prevailed with the lord Muskerry, colonel of an Irish regiment in the service of France, to desert that service, and join the Spanish army with his regiment. He also found means to cause four regiments of English, Scots and Irish, to come in single companies, and offer him their service. These regiments, though not in very good order, served in the Spanish army.

April.  
Has a pension granted from that crown of 6000 guilders a month. Goes to reside at Bruges. Clarendon, III. p. 474, 475, &c.

The duke of York obliged to quit France. Clarendon, III. p. 477, 480.

As soon as the treaty of league between France and England was signed, cardinal Mazarin signified to the duke of York, that he was to retire out of the dominions of France. All the English of the king's party, in the service of France, had the same orders, and amongst the rest the lord Digby,

NOW

of October 1655, and the other of the 3d of March 1657, have taken into some mistakes. Rapin. See Collect. of treaties, tom. III.

NOOL

now become earl of Bristol upon the death of his father, 1657. and a convert to the catholick religion. All these English, dismissed from France, retired into the Low Countries, some to their king, and the rest to Don John of Austria, to seek employment in his army.

In consequence of the league, Cromwell sent six thousand men of his best troops into France under the command of Reynolds, who had concluded the treaty at Paris in quality of his ambassador. In this campaign, the French took several places from the Spaniards, and amongst the rest Mardyke which was delivered to the English. Reynolds was unhappily drowned in his return to England, and was succeeded in the command of the English forces in the service of France, by Lockhart a Scotchman and ambassador to that crown.

As by the 2d article of the humble petition and advice, 1657-8. the protector was every year to summon a parliament consisting of two houses, Cromwell resolved to observe that article, which had been inserted in the instrument by his sole direction. He therefore chose a certain number at his own pleasure, to compose the other house. Most of these were officers, or other persons devoted to him, to whom he added some of the antient peers; but they refused to take their seats with these men. This choice being made, he issued out writs for their meeting in parliament, in a separate house, the 20th of January 1657-8. His intention was to have this house considered as a house of peers, and invested with the same privileges, the peers had formerly enjoyed. He durst not however give it that name, but contented himself with calling it the other house, till a more proper name could be given it.

Cromwell, as hath been observed, had created himself many enemies, not only amongst the royalists and presbyterians, but also amongst the parliamentarians, against him.

G 4

Ludlow says, none of the antient nobility, except the lord Eure, sat in the other house. The earl of Warwick himself, though his grandson had married one of Cromwell's daughters, would not be persuaded to sit with colonel Hewson, and colonel Pride, whereof the one had been a shoemaker, and the other a drayman. Mem. tom. II. p. 595.

The form of the writs was the same with those which were used to be sent to summon the peers in parliament. There were in all sixty (seventy, says

Ludlow, tom. II. p. 584.) among whom were divers noblemen, knights and gentlemen of antient families, and good estates, and some colonels and officers of the army. This is Whitelock's account, who was one of them, and who has given us the names of all the sixty. Among whom were four earls, two viscounts, and several lords, as the reader may see, p. 665, of Whitelock's Mem. And here again, there is reason to wish Rapin had seen Whitelock's Memorials.

Cromwell sends six thousand English into France. Sept. 23. Clarendon, III. p. 473. Whitelock. Ludlow.

Composes another house of parliament. Whitelock; p. 665. Clarendon. III. p. 472. Ludlow. II. p. 595. Heath.

Designs of his enemies against him. Ludlow.

1657-8. rians, but even among the independents themselves. These were extremely provoked at his having made use of them for his advancement, under colour of labouring with them to establish a republican government. The sequel had shown them, that in suppressing kingly power, he had never intended to abolish the monarchy, since under the name of protector, he had seized the supreme power. They therefore looked upon him as the most perfidious of men, and were not less his enemies than the presbyterians and royalists. He was supported only by the army, filled by himself with fanatics and enthusiasts, who imagined the time was come to erect a fifth monarchy, or the reign of Jesus Christ-upon earth. Cromwell was not ignorant, his enemies had designed to destroy him, on pretence of raising him higher, and his had made him refuse the title of king. It was also to break their measures, that he had asked and obtained a power of erecting another house, to oppose it occasionally to the house of commons, where he knew he had but too many enemies, of which he had cause very soon to be still more sensible.

The parliament  
ment meets  
in two  
houses.  
Jan. 20.  
1657-8.  
Whitelock,  
p. 666.  
Clarendon,  
III. p. 472.

The excluded  
members  
received into  
it, who  
were Crom-  
well's ene-  
mies.  
Ludlow.  
t. II. p. 597.  
598.  
Phillips.  
Clarendon,  
III. p. 472.

His enemies having had time to concert their measures during the adjournment, took another course to destroy him when the parliament re-assembled. As by the III<sup>d</sup> article<sup>q</sup> of the humble petition and advice it was said, the members legally chosen, should not be excluded without the consent of their house, a motion was made to admit all the elected members, who had refused to sign the engagement. This motion was so suddenly received and approved, that Cromwell had not time to oppose it, and he could have done it so much the less, as it was founded on a solemn act, which he had sworn to observe. By this means above a hundred members, republicans and presbyterians, all enemies to the protector, were admitted into the house of commons<sup>r</sup>. From that time, the face of affairs began to change, Cromwell's enemies having gained the superiority in the very house which would have made him a king. As they had formed great projects against him, their first care was to hinder the other house, wholly consisting of his creatures, from using their pretended negative voice to break their measures. The authority therefore of the other house was called in question, and it was affirmed to be absurd, that they should have a negative

<sup>q</sup> Rapin says the IV<sup>th</sup>. See the petition in Whitelock, p. 657.

<sup>r</sup> Among whom particularly were

Sir Harry Vane, Haslerig, and many others of great credit and interest.

negative voice, since the commons, by whom they were created, never pretended to make peers of men who had no other power than what they voted them. It was added, that therefore it was said in the humble petition and advice, that the power of the other house should be limited. Cromwell, perceiving to what all this tended, sent for the parliament to Whitehall, and in a speech maintained the authority of the other house with such vehemence, that the commons fearing an immediate dissolution, found it necessary to acknowledge the other house as an essential part of the parliament.

Notwithstanding this, the commons took into consideration the humble petition and advice, and many were of opinion, it was null and void, because it was made when many members were excluded from the parliament, without any lawful cause. This manifestly tended to a revocation of the act, and withal of the subsequent confirmation of Cromwell's protectorship. Cromwell was too quicksighted not to see how much it concerned his interest, not to suffer the parliament to sit any longer. Wherefore he came to the other house and sending for the commons, spoke to them in these terms:

" I had very comfortable expectations that God would make the meeting of the parliament a blessing: and the Lord be my witness, I desire the carrying on the affairs of the nation to these ends. The blessing which I mean, and which we ever climbed at, was mercy, truth, righteousness, and peace, which I desire may be improved.

" That which brought me into the capacity I now stand in, was the petition and advice given me by you, who, in reference to the antient constitution, did draw me to accept of the place of protector. There is not a man living can say I fought it; no, not a man, nor woman treading upon English ground; but I, contemplating the sad condition of these nations, relieved from an intestine war unto a six or seven years peace, I did think the nations happy therein. But to be petitioned thereunto, and advised by you to undertake such a government, a burden too heavy for any creature, and this to be done by the house that then had the legislative capacity, I did look

" that

The parliament examines the validity of the humble petition and advice.  
Phillips.

Cromwell's speech to the parliament.  
Feb. 4.  
Phillips, p. 632.

s Among the acts passed in this parliament was one for preventing the multiplicity of buildings in and about

London, and within ten miles thereof. Waitelock. p. 662.

1657-8. " that the same men that made the frame, should make  
 " it good unto me: I can say in the presence of God,  
 " in comparison of whom we are but like poor creeping  
 " ants upon the earth, I would have been glad to have lived  
 " under my wood side, to have kept a flock of sheep, ra-  
 " ther than undertook such a government as this is; but  
 " undertaking it by the advice and petition of you, I did  
 " look that you that had offered it unto me should make it  
 " good.

" I did tell you, at a conference concerning it, that I  
 " would not undertake it, unless there might be some other  
 " person that might interpose between me and the house of  
 " commons, who then had the power to prevent tumultu-  
 " ary and popular spirits, and it was granted I should name  
 " any other house; and I named it of men that shall meet  
 " you wheresoever you go, and shake hands with you, and  
 " tell you it is not titles, nor lords, nor party, that they  
 " value, but a christian and an English interest, men of  
 " your own rank and quality, who will not only be a bal-  
 " lance unto you, but to themselves, while you love Eng-  
 " land and religion.

" Having proceeded upon these terms, and finding such a  
 " spirit as is too much predominant, every thing being too  
 " high or too low, when virtue, honesty, piety and justice  
 " are omitted: I thought I had been doing that which was  
 " my duty, and thought it would have satisfied you; but if  
 " every thing must be too high or too low, you are not to  
 " be satisfied.

" Again, I would not have accepted of the government,  
 " unless I knew there would be a just accord between the  
 " governor and the governed, unless they would take an  
 " oath to make good what the parliament's petition and ad-  
 " vice advised me unto; upon that I took one oath, and  
 " they took another oath upon their part answerable to  
 " mine; and did not every one know upon what condition  
 " they swore? God knows, I took it upon condition ex-  
 " pressed in the government: and I did think we had been  
 " upon a foundation, and upon a bottom; and thereupon  
 " I thought myself bound to take it, and to be advised by  
 " the two houses of parliament. We standing unsettled till  
 " we were arrived at that; the consequences would necessa-  
 " rily have been confusion, if that had not been settled.  
 " Yet there are not constituted hereditary lords, nor heredi-  
 " tary kings; the power consisting in the two houses and  
 " myself. I do not say, that the meaning of your oath

" was

" was to you, that were to go against my own principles, 1657-8.

" to enter upon another man's conscience: God will judge

" between me and you: if there had been in you any inten-

" tion of settlement, you would have settled upon this basis,

" and have offered your judgment and opinion.

" God is my witness, I speak it, it is evident to all the  
 " world and people living, that a new business hath been  
 " seeking in the army against this actual settlement by your  
 " consent; I do not speak to these gentlemen or lords (point-  
 " ing to his right hand) whatsoever you will call them, I  
 " speak not this to them, but to you; you advised me to  
 " run into this place to be in a capacity by your advice;  
 " yet instead of owning a thing taken for granted, some  
 " must have I know not what; and you have not only dis-  
 " joined yourselves, but the whole nation, which is in like-  
 " lihood of running into more confusion in this fifteen or  
 " sixteen days that you have sat, than it hath been from the  
 " rising of the last session to this day, through the intention  
 " of devising a commonwealth again, that some of the peo-  
 " ple might be the men that might rule all, and they are  
 " endeavouring to engage the army to carry that thing; and  
 " hath that man been true to this nation, whosoever he be,  
 " especially that hath taken an oath, thus to prevaricate?  
 " These designs have been upon the army, to break and di-  
 " vide us: I speak this in the presence of some of the army,  
 " that these things have not been according to God, nor ac-  
 " cording to truth (pretend what you will.) These things  
 " tend to nothing else, but the playing the king of Scots his  
 " game, if I may so call him; and I think myself bound  
 " before God, to do what I mean to prevent it. That which  
 " I told you in the Banqueting-house was true, that there  
 " were preparations of force to invade us; God is my wit-  
 " ness it hath been confirmed to me since within a day, that  
 " the king of Scots hath an army at the water side ready to  
 " be shipped for England. I have it from those who have  
 " been eye-witnesses of it. And while it is doing, there  
 " are endeavours from some who are not far from this place,  
 " to stir up the people of this town into a tumulting:  
 " what if I said into a rebellion? and I hope I shall make  
 " it appear to be no better, if God assist me; it hath been  
 " not only your endeavour to pervert the army, while you  
 " have been sitting, and to draw them to state the question  
 " about a commonwealth, but some of you have been list-  
 " ing of persons by commission from Charles Stuart, to join  
 " with any insurrection that may be made: and what is  
 " like

1657-8. "like to come upon this (the enemy being ready to invade us) but even present blood and confusion? And if this be so, as I do assign to this cause your not assenting to what you did invite me to by the petition and advice, as that which might be the settlement of the nation, and if this be the end of your sitting, and this be your carriages, I think it high time that an end be put to your sitting, and I do dissolve this parliament: and let God judge between me and you." At which many of the commons cried Amen.

1658.

Lambert turned out of his preferments. Ludlow. t. II. p. 493. Succeeded by Fleetwood. Who is succeeded by Henry Cromwell. Cromwell's family. Clarendon, III. p. 469. He reduces the power of the major-generals. Id. p. 473. Ludlow. t. II. p. 580. —582.

When the parliament was dissolved, Cromwell suspecting, or perhaps being informed, that Lambert was one of the principal authors of the plot formed against him, dismissed him from all his employments<sup>t</sup>. Fleetwood was recalled from Ireland to succeed Lambert in the lieutenant generalship, and Henry Cromwell, younger son of the protector, was sent into Ireland in Fleetwood's room. Since Cromwell had been confirmed in the protectorate, he had called his eldest son Richard to court<sup>u</sup>, and made him chancellor of the university of Oxford. He had married his second daughter to the lord Falconbridge, and his third to Mr. Rich, grandson to the earl of Warwick. His eldest had been long since married to Mr. Claypole, and a fourth lived unmarried, if I am not mistaken, till the reign of William III<sup>v</sup>. Soon after the dismissal of Lambert, Cromwell so reduced the authority of the major-generals, that they had no longer the power, as they had before, of oppressing the people. In all appearance, they were deeply concerned in the plot to gain the army, mentioned by Cromwell in his speech to the parliament. It is pretended, he meant to make a greater reform in his army, and was resolved to dismiss every person of suspected fidelity. But he had not time to execute that project.

A conspiracy of the royalists. Whitelock. Clarendon, III. p. 481. **It was not without reason that Cromwell spoke of a conspiracy forming in England in favour of the king. The royalists ever believing, that all who were enemies either of Cromwell's**

sec. Phillips.

<sup>t</sup> But however, allowed him two thousand pounds a year. Ludlow, tom. II. p. 594.

<sup>u</sup> He had till this time lived privately at Hurley in Hampshire, upon the fortune brought him by his wife, who was Dorothy, eldest daughter of Richard Major, esq; Clarendon, tom. III. p. 469.

<sup>v</sup> The marriages of his daughters; Mary to the lord Falconbridge, and

Frances to Mr. Rich, the earl of Warwick's grandson, were celebrated first according to ceremonies then in use, but privately afterwards, according to the rites of the church of England. Ibid. Bridget had two husbands, Ireton and Fleetwood; and Elizabeth (whom Rapin by mistake says lived unmarried) was wife to Claypole. The lady Falconbridge lived to extreme old age.

Cromwell's person or government, were the king's secret friends, built upon that foundation to place him on the throne by the assistance of his greatest enemies. This would appear incredible, if they had not given frequent instances of their prejudice. The project was, as usual, to raise insurrections in several parts of the kingdom, in the belief that the king's private friends would not lose the occasion of joining those who should be in arms. The principal managers of this plot were John Mordaunt brother of the earl of Peterborough, Sir Henry Slingsby a rich and popular man in the county of York, and dr. Hewet a minister of the church of England. This plot had been represented to the king in so advantageous a manner, by reason of the general discontent under the present government, that he conceived hopes of success. And therefore he had himself made some preparations in the Low Countries, and the four regiments raised by him, and after the miscarriage of the design, added to the Spanish army, were intended for his service. He had moreover sent commissions into England, for those who would engage in his interest. One of these commissions to raise a regiment of horse had been granted to mr. Stapley, whose father had been Cromwell's great friend, and one of the king's judges. Cromwell, upon some intimation, sent for Stapley, and artfully drew from him a confession of whatever he knew, and that he had received his commission from mr. Mordaunt. He also told him, the marquis of Ormond had been at London, and staid there three weeks to concert measures with the conspirators, and give them his directions; which was true. The earl of Clarendon intimates, the marquis had not found things in England ripe for the execution of what was intended, and yet the great number of commissions shew, that the court had a better opinion of the undertaking. However this be, the marquis had the good fortune to leave England, and return to the king, before Cromwell knew he had been there. Immediately after the dissolution of the parliament, Mordaunt, Slingsby and Hewit were committed to the Tower, and many of their accomplices, were apprehended in all parts of the kingdom. After which, Cromwell erected a high court of justice <sup>1</sup> for trial of the criminals, and especially of the

1638.

Clarendon,  
III. p. 483.  
Ludlow.

Discovered  
by Stapley.  
Clarendon,  
III. p. 481.  
—485.

Id. p. 404.  
Whitelock.

three  
p. 673.  
State Trials.  
t. II.

<sup>1</sup> Of which Whitelock was one of the commissioners; but never sat with them, it being against his judgment. He was for trying the conspirators in the ordinary course of common law;

but, says he, his highness was too much in love with the new way, which he thought to be more effectual, and would the more terrify the offenders. Mem. p. 673.

1658. three principal. Mr. Mordaunt escaped death by means of his wife, who bribed some of the judges, and prevailed with colonel Mallory<sup>1</sup>, one of the two witnesses against her husband, to make his escape. Sir Henry Slingby and dr. Hewet were condemned and executed<sup>2</sup>. Before the same court were tried, condemned, hanged and quartered for the same crime, Ashton, Stacy, and Battely. Some others were condemned, and pardoned by Cromwell, not to multiply any more the number of his enemies. It is certain he had a great many, and that those who had been most attached to him while he was believed to be in their views, hated him mortally, when they found themselves deceived.

Slingby,  
Hewet,  
and others,  
executed.  
Id. p. 296.  
Clarendon,  
III. p. 487,  
488.

Address of  
some secta-  
ries to the  
king.  
Id. p. 489,  
&c.

The earl of Clarendon relates on this occasion a long address to the king, from several independents, quakers and anabaptists, brought him by a young gentleman<sup>3</sup>, wherein they supposed the death of Cromwell to be near, which seemed to intimate a design to assassinate him. To this address were annexed some conditions required of the king, with which certainly he could not comply. Wherefore he contented himself with returning a general answer, that he did not intend to persecute or trouble any for their opinions, if their actions were peaceable, and that they might hope for his favour, if he received service from them; by which he seemed to encourage them to execute their design. It is certain, these men abhorred Cromwell, but depended too much on their own strength, and filled their heads with chimerical designs. After all, though their projects should have succeeded, the king would have received no advantage, their principles being so opposite to his. Probably, their intention was to make use of the king to accomplish their aim,

<sup>1</sup> He had been trusted by mr. Mordaunt in the business of Sussex, and apprehended about the same time with Stapley. He was brought from the Tower in custody, to give in evidence against mr. Mordaunt, but was prevailed with, when he was brought to the hall, to withdraw from his guard, and slip away in the crowd. Clarendon, tom. III. p. 486.

<sup>2</sup> They were both beheaded on Tower-hill, June 8. State Trials, tom. II. p. 296. Hewet's greatest crime was collecting and sending money to the king, and dispersing his commissions. Mrs. Claypole used all her interest with her father the protector, to

save the doctor's life, but without success; which denial so afflicted her, that it was reported to be one cause of her death; she dying August 6. Idem. p. 485. Ludlow, tom. II. p. 607.

<sup>3</sup> a Sexby was not the person sent with the address (as Rapin says by mistake) though he was an agent both for these people and the Spaniards. He was an illiterate but sensible man, of no family, and at first only a common soldier in Cromwell's troops. The person that brought the address, was, the lord Clarendon says, a young gentleman of an honourable extraction. Clarendon, tom. III. p. 488, 489.

aim, but not to place him on the throne in the manner he desired, accordingly this project came to nothing. 1658

In June, this year, marshal Turenne, general of the French army, besieged Dunkirk, contrary to the opinion of Don John of Austria, who expected that he would have opened the campaign with the siege of Cambray. As this belief had made him neglect to provide for the defence of Dunkirk, he was forced to hazard a battle to save that place, which was not in a condition to make a long resistance. But this battle proved fatal to the Spaniards, who were entirely defeated<sup>b</sup>, and the siege was continued by Turenne, who made himself master of Dunkirk the 26th of June. The town, in pursuance of the treaty with England, was surrendered to Cromwell, who placed a strong garrison in it, and made Lockhart the governor<sup>c</sup>.

Cromwell had for some time, appeared more uneasy and fearful than ever. This is not very strange, since he had informations from divers parts, of a design to assassinate him, by some of his former most zealous adherents. This caused him to use new precautions, as not to lie two nights together in the same chamber, nor appear in publick without a strong guard. But all these precautions to avoid a violent, could not secure him from a natural, death. In August, this year, he was seized with a fever at Hampton court, which at first had no dangerous symptoms, but his distemper daily increasing, he was removed to Whitehall, where, after nominating his eldest son Richard for his successor, he expired in the 60th year of his age, on the 3d of September, on which day he had gained the two great battles, Dunbar in 1650, and of Worcester in 1651<sup>d</sup>.

Cromwell's family was originally of Glamorganshire in Wales, and called Williams, one of which marrying a sister of Cromwell, vicar-general in the reign of Henry VIII. assumed the name of Cromwell, and transmitted it to his posterity. Oliver Cromwell was born at Huntingdon, April 25, 1599.

<sup>b</sup> Chiefly by means of Lockhart (who had married Cromwell's niece) and his six thousand English foot. Clarendon, tom. III, p. 502. — There were twelve hundred Spaniards slain, and two thousand taken prisoners. Whitelock, p. 673.

<sup>c</sup> The French general had secret orders not to deliver that place to the English. But Cromwell had an information of it, though it was known but to four persons, and rendered that

order ineffectual, as the reader may see in Welwood, p. 96.

<sup>d</sup> Whitelock says, Cromwell went to rest in the grave the same day he had obtained the victories at Dunbar and Worcester: after his many great actions and troubles, he now died quietly in his bed. Some were of opinion he was poisoned. Mem. p. 674. — There was that day one of the greatest storms of wind that ever was known. Clarendon, tom. III. p. 505.

The battle of Dunes. Id. p. 508. Whitelock. Dunkirk delivered to Cromwell. Clarendon, III. p. 504. Ludlow.

Clarendon, III. p. 505. Whitelock.

Cromwell's death.

Descent and character. Life of Cromwell. Appendix, 427. Bates.

1658. 1599. His education had nothing extraordinary<sup>c</sup>, nor is it known how he spent his time before he arrived at the age of thirty five years, when he began seriously to reform his manners and lead a very regular life, without indulging himself in any indecent or ill action. Probably he then, if not sooner, engaged in the presbyterian party<sup>f</sup>. The reputation he had acquired of an honest man and good christian, and doubtless his principles concerning the government, were the cause of his being returned for the town of Cambridge, to the parliament which met the 3d of November 1640<sup>f</sup>. He sat two years without being distinguished, not having a genius for speaking to place him upon a level with some of the members of that parliament. His delivery was ungraceful, and his speeches prolix and confused. It was, probably, in these two years that he was gained by the independents, and listed in their party, though concealed under the name of rigid presbyterians. Agreeably to the views and interests of that party, Cromwell affected an extraordinary zeal for presbyterianism, and the liberty of the nation against the usurpations of the court, in which he followed the directions of the then leading members of the house. So, when the civil war began in 1642, he had a post in the army, as a man entirely devoted to the house of commons, of which he was member. He was at first a major of horse, and though he was two and forty years old before he had drawn a sword, he was so distinguished by his valour in that office, that he had soon after a regiment given him. There was not in the army an officer that faced danger with more intrepidity, or that more ardently sought occasions to signalize himself. His reputation increased to such a degree, that he became major-general, then lieutenant-general under Fairfax, and at last his successor. His great talents for war gave him occasion to show that he had no less genius for civil affairs. He entered into the deepest designs of his party, and at last became one of the principal leaders, advancing here with the

Warwick's  
Mem.  
P. 247.

c His education was suitable to his birth, he being first sent to Cambridge, and then to Lincoln's Inn.

f In 1637, Cromwell, Haslerig, Hampden, and some others, resolved to take refuge in New England (on account of the persecution raised by archbishop Laud against the puritans) and were actually embarked for that purpose; but they were prevented, by a proclamation against transporting his

majesty's subjects to the plantations in America; and by an order of council, for stopping eight ships in the river of Thames, prepared to go for New England, in one of which Cromwell was. Life of Cromwell, p. 3.

g The reason of his being shofe, was, because he opposed the draining the fen lands in the isle of Ely, which was then proposed, and not liked by the town of Cambridge. Ibid.

fame rapidity as in the army. It was he, who accusing the earl of Manchester of not having done his duty in the second battle of Newbury, broke the ice, and gave occasion to the new model of the army, which was the first step to the triumph of the independents. From that time, he was looked upon as the chief of the independent party, and, properly as general of the army, Fairfax acting only as directed by Cromwell. I shall no farther insist upon what has been related at large, but only observe, that the troops believed themselves invincible under his command, and that he was never once forced to turn his back. The victory gained over prince Rupert at Marston Moor, was chiefly ascribed to his valour. The reduction of Ireland in less than a year, greatly increased his fame, and the battles of Dunbar and Worcester carried it to the highest degree. 1658.

Let us now view him in his government after he was protector. If his government be compared with those of the two last kings, there will appear a very great disparity with regard to the glory and reputation of the English nation. James I. and Charles I. seemed to have studied to disgrace the English name, whereas Cromwell, in the space of four or five years carried the glory of his nation as far as possible, and in that respect was not inferior to Elizabeth<sup>b</sup>. He made himself equally dreaded by France and Spain, and the United Provinces. These three states courted his alliance and friendship with such ardour, that they may be said to cringe to him beyond what was becoming. Charles Gustavus, King of Sweden, thought himself honoured in being his ally and particular friend. His greatest enemies cannot help praising him on this account. Burnet's Hist. p. 81.

As for his morals and conduct, as a private person, they may be said to have been very regular. He was guilty of none of the vices to which men are commonly addicted. Gluttony, drunkenness, gaming, luxury, avarice, were vices with which he was never reproached. On the contrary, it is certain, he prompted virtuous men; as, on the other hand, he was inflexible in his punishments of vice and ill actions. It is true, his own preservation obliged him sometimes to employ men of ill principles, but this is not uncommon to those, who are at the head of a government. Walwood.

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H

Though

<sup>b</sup> He said once in parliament, "as ever that of a Roman had been." Burnet, p. 81.  
<sup>c</sup> That he hoped he should make the same of an Englishman, as great

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Though, as to his religion, he was an independent, his principle was to leave every man at liberty in the religion he had chosen, and never persecuted any person on that account. He even connived at the private meetings of those, who remained attached to the church of England, though he was well informed of them. If they were not favoured with the free and publick exercise of their religion, it was because they were considered by him as royalists, always ready to form plots in the king's favour, and from whom, consequently, he had great reason to secure himself. Though he was in the sentiments of the independents, and therefore averse to all union with the national church, he however considered all protestant churches, as part of the protestant church in general; and without aiming to establish independency and fanaticism by force and violence, he expressed, on all occasions, an extreme zeal for the protestant religion. Dr. Burnet, in the history of his own times, says, that if Cromwell had accepted the title of king, he intended to establish a council, in imitation of the congregation de propaganda fide at Rome, to have an eye to what passed all over the world, with regard to the interests of the protestant religion. He adds, that a fund was to have been settled upon this council, of ten thousand pounds a year, for ordinary emergencies, besides a salary of five hundred pounds apiece to four secretaries.

P. 77.

Burnet,  
P. 65.

It may also be added, to Cromwell's honour, that never man was better acquainted with the inward springs of human actions, though he seemed not to have made it his particular study. Never man had more address to manage people, and lead them to his ends, nor more natural capacity for affairs, which had received no assistance from learning; for he scarce remembered the little Latin he brought from school: in a word, never man chose at once his most advantageous course with more judgment, or executed a design with more vigour and readiness. Such, in short, were the virtues and shining qualities of Cromwell; but we must not conceal the faults and imperfections with which he is charged.

This charge turns solely upon three points. The first, that through a boundless ambition, he seized a government to which he had no right. The second, that he maintained himself in his post, by an excessive dissimulation. The third, that he put to death many of his private enemies, without any regard to laws immemorially practised in England. Upon these three articles I shall offer some considerations to the

the reader, to assist him in forming a just idea of Cromwell's character. 1658.

Upon the first, it must be considered, that though the royalist authors traduce Cromwell's memory as much as possible, and though in particular, the action by which he was possessed of the government, is the principal foundation of all their complaints, it is certain, the king was no way interested in the change it produced. It was not Charles II. but a republican parliament, that was deprived of the supreme power by Cromwell. Though he had been subjected to this parliament; though he had miscarried, and himself been ruined by his ambition, the king's affairs would have received no advantage, since the parliament was not less his enemy than Cromwell. Of what therefore do they complain with respect to the king? It must be one of these two things, either that Cromwell was too wise, to suffer himself to be supplanted by all the efforts of the royalists; or that, after seizing the supreme power, he did not restore it to the king, to whom alone it belonged; that is, that Cromwell did not at once turn royalist, and entirely change his principles. But this charge lies no more against Cromwell, than against all the independents and presbyterians, who were at least three parts in four of the kingdom, and who, no more than Cromwell, thought it proper to declare for the king.

As for the republicans, they have not left us many writings on their side. The only memoirs of that party, which I know of, are those of Edmund Ludlow. It appears there, <sup>Ludlow.</sup> that the republicans were enraged against Cromwell, and <sup>c. II.</sup> deemed him the most perfidious of men. This is not very <sup>throughout.</sup> strange, since he had wrested from that parliament the so- <sup>Burnet,</sup> p. 65. vereign power, seized by these republicans without any lawful authority. But, what was this parliament? It was an assembly of independents, anabaptists, fanaticks, enthusiasts, and others of no religion, who, under colour of establishing a free commonwealth, held the nation in servitude; who, to confirm their own authority, had treated their fellow members with unheard of violence, and dared to imbrue their hands in the blood of the late king, at a time when he had almost granted every thing that was desired; who, in short, were industrious to break the union of the church, to subvert all religion, or introduce the most ridiculous and extravagant one. Was it therefore more eligible for England to be governed by these men, than by a Cromwell? If, therefore, Cromwell be blameable, it is not for dissolving a parliament,

1658. which certainly deserved to continue no longer, and had strangely abused the power they had assumed. But if, after the dissolution of that parliament, Cromwell had restored the king, (for this, in all appearance, is what the royalists would have) he had drawn upon himself the hatred and curses of all England, which, at that time, was by no means disposed to such a restoration, whatever the royalists may say. He was, therefore, to do one of these three things; either to restore the king, contrary both to his own principles, and to those of the presbyterians and independents; or to abandon the state to a horrible anarchy, which must have followed, if he had left things in the state they were in after the dissolution; or to take himself the administration of the government, unless he had intrusted it with some other person, which, in respect of the justice of the action, had been the same. Let it now be examined, which was most advantageous for England, considering her circumstances, and whether it was not better, he should himself take the government, than attempt a restoration, in which he could never have succeeded? Since his sole support was the army, which at that time was very opposite to the king, not to mention the opposition he would have met from the republicans and presbyterians. On supposition that he was in the right to dissolve the parliament, was it not also better for him to assume the government, than relinquish the state to a fatal anarchy? Those who pretend, he had long before projected his advancement, speak only by conjecture. They consider not, that he had never been in a condition to form such a design, before the battle of Worcester; nor that this parliament, which he dissolved, had, in seeking to ruin him, reduced him to a necessity of destroying them for his own preservation.

But what cannot be justified in his conduct, is, his throwing himself, from the beginning of the parliament, into a violent party, which aimed at the ruin of church and state; his directing afterwards that party; and his being the chief author of the violences put upon the parliament and the king. This, however, is slightly passed over, because it is common to him with the whole independent party; and yet, it is, in my opinion, the only thing he can justly be reproached with, and on which it is hardly possible to excuse him.

Welwood.

The second charge against him is, his excessive dissimulation; but here we are to distinguish. If it be true, as is pretended, though without proof, that he carried his dissimulation

1658.

imulation so far, as to mock God and religion, by expressing a piety and devotion which he had not, and by making long prayers, full of seeming zeal. If it be true, that his mouth uttered what his heart never meant, no man ought to endeavour to vindicate him. But his strong bias to enthusiasm is well known; and who can affirm, it was rather out of hypocrisy than real persuasion? We are not rashly to ascribe to men inward motives, which no mortal can know. His dissimulation, practised for the better management of the several parties, all equally his enemies, has nothing that I can see, very blameable in it, unless it was a crime, not to leave it in the power of his enemies to destroy him with ease. I shall just mention some of his methods to maintain himself in his dignity, by which it may be judged whether Cromwell's dissimulation is to be justly imputed to him as a crime.

Warwick's  
Mem.  
Burnet,  
p. 79.

The parliament he dissolved, was composed of independents, republicans, enthusiasts, or fifth monarchy men. If this parliament had continued longer, things would have been carried to the last extremity. They began to talk of pulling down the churches, discharging the tithes, destroying the clergy, and every thing that looked like the union of a national church. The presbyterians, who knew this, were in continual apprehensions of their executing their designs, and consequently, the dissolution of this parliament was considered by them, as a great happiness. Cromwell, to gain their confidence, positively promised, he would maintain their ministry on the foot of the present establishment, and kept his word, though he was far from being presbyterian. By this means, the presbyterians were attached to his interest, by reason of their dread to fall again under the tyranny of the independents.

Whitelock,  
p. 560, 681.  
Burnet,  
p. 67.

In the republican party were two sorts of men, whom it was very difficult to govern. The one were deists, or men very indifferent as to religion, who acted only upon the principles of civil liberty. The others were enthusiasts; who expected every day when Christ should appear to reign upon earth. These were the most difficult to manage, because they would not hear reason, when it contradicted their headstrong and violent zeal. Cromwell's accepting the protectorship was considered by them as a step to kingship, to which they were such enemies, that they affirmed it to be the great antichrist, that hindered Christ's reign upon earth. Cromwell found means so to divide these two parties, that all combinations betwixt them for his ruin became impossi-

1658.

Id. p. 68.  
Phillips,  
p. 631.

ble. To the deists, he made himself merry with the extravagant zeal of the fanatics; and to these, he talked of the others as of heathens and infidels. But as the enthusiasts were the most obstinate, he intimated to some of them, that he would rather have taken a shepherd's staff than the protectorship, had it not been to prevent every thing from running into confusion: that he would resign this dignity with more joy than he accepted it, as soon as things should be settled: that nothing was more contrary to his inclination and principles, than a grandeur which obliged him to assume an outward superiority over his fellow labourers. To convince them of what he said, he frequently called them into his closet, and shutting the door, made them sit covered, familiarly talking with them as his equals. Commonly these discourses ended in a long prayer. It is not to be doubted, but there was in this much dissimulation. The question is, whether it was so criminal as it is pretended?

Burnet,  
p. 63.

He had likewise chaplains of all sorts. So, hinting sometimes to one, sometimes to another, that he was not averse to their principles; the report was spread throughout the whole party, and made each hope for an advantageous change.

Burnet's  
Hist. p. 65.  
66, 67.

He took care to have spies amongst all the parties, and was thereby fully informed of what was contriving against his person or government<sup>1</sup>. Among others, he gained sir Richard Willis, chancellor Hyde's agent for conveying the king's orders to his friends in England. All the royalists confided in Willis, knowing he received the king's orders, and yet he betrayed them. But to keep the correspondence more secret, Cromwell assured him, that the informations from him should only be used to disconcert the plots of his enemies, that none might ever suffer for them; and if he imprisoned any of them, it should only be for a little time, and on other pretences. By that means, he defeated their designs, as by accident, in committing them to prison for supposed

<sup>1</sup> He laid it down for a maxim, to spare no cost or charge in order to procure intelligence. When he understood what dealers the Jews were every where in that trade, that depends upon news, the advancing money upon high or low interest, in proportion to the risque they run, or the gain to be made as the times might turn, and in the buying and selling of the actions of money so advanced, he brought a

company of them over to England, for which some say, he received a consideration of two hundred thousand pounds, and gave them leave to build a synagogue. Burnet, p. 71.—Among other good regulations, he also appointed a council of trade, to consider how to improve, order and regulate, the trade and navigation of the commonwealth. Whitelock, p. 632.

supposed crimes, and releasing them when their measures were broken.

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He sometimes intimated a willingness to treat with the king. Probably, his aim was to engage the royalists to offer propositions, which would have given him opportunity to amuse them and prevented any conspiracies against his person; for he was informed from several parts of designs to assassinate him. Wherefore he affected to speak publickly of assassinations with the utmost detestation, and to declare, he would never begin them, but if an attempt was made upon his life, and miscarried, he should not scruple to use the same method, and that he did not want instruments to execute it, nor money to reward them. This declaration kept the royalists in awe, through a fear of their own danger, or that of the king and royal family.

Burnet, P. 65

If this conduct of Cromwell be considered impartially, it will, doubtless, appear, that his dissimulation and artifices for his own preservation, were not so criminal as they have been represented. What has most offended those who speak of them with most passion, is, that they were proper to disconcert the projects of his enemies. The dissimulation of queen Elizabeth, for the same reason, has been extolled, though she used it only for her own preservation.

The third and last charge against Cromwell, is cruelty, for having, whilst protector, put some men to death for conspiring against his person and government. That is, according to this reproach, he should have patiently suffered the plots against him, and when one failed, liberty should have been given for a second and a third, till some one had succeeded. This deserves no confutation. But to show, that Cromwell was not for an unnecessary effusion of blood, we need only recite what is owned by the earl of Clarendon in his history, who assures, that when it was proposed in a council of officers, that there might be a general massacre of the royalists, Cromwell would never consent to it.

Clarendon, III. p. 509.

To finish Cromwell's character, I will add, that in the beginning of the long parliament, he was a presbyterian. After that, he threw himself into the independent party, and was even one of their leaders, and affected to be of the number of the enthusiasts. But when he had accepted the protectorship, he was neither presbyterian, nor independent, nor republican, nor enthusiast. As he had to manage all these different parties, who were equally opposite to him,

11658. he was not to appear an enemy to any in particular, and this management furnishes convincing proofs of his great ability.

It is, nevertheless, certain, that Cromwell was very much hated, while he lived, by all the parties then in England, though they could not help fearing and esteeming him. But if it be now considered, that the prejudices against him are not so strong as they were then, it will be found that the hatred of him was owing to interest, and founded chiefly upon his ability to disconcert the measures and designs of all the parties. This general hatred is solely referred to his principal action; that is, to the usurpation of the government, which equally disgusted the royalists, presbyterians, and republicans. The royalists thereby saw their hopes more desperate than ever of the king's restoration. The presbyterians could hardly expect, by their intrigues, to render themselves once more superior in the parliament, after the dissolution. The republicans were enraged to see the supreme power, which they had assumed, wrested from them. It is therefore no wonder, that he has incurred so much censure, since all the people of England, that is these three parties, were equally concerned to asperse him. It was not for the enormity of the action, but because, by his advancement, each party despaired of acquiring the superiority over the rest. This is what has drawn from many writers, expressions so injurious to his memory. The lord Clarendon speaks thus of him and his usurpation. "Without doubt  
 "no man with more wickedness ever attempted any thing;  
 "or brought to pass what he desired more wickedly, more  
 "in the face and contempt of religion, and moral honesty.  
 "Yet wickedness, as great as his, could never have accomplished those designs, without the assistance of a great  
 "spirit, an admirable circumspection and sagacity, and a  
 "most magnanimous resolution." It is easily seen, that this wickedness is referred only to his usurpation of the government. "In a word, (continues the same author) as he was  
 "guilty of many crimes, against which damnation is denounced, and for which hell-fire is prepared, so he had  
 "some good qualities which have caused the memory of  
 "some men in all ages to be celebrated, and he will be  
 "looked upon by posterity as a brave wicked man." Here the author, no doubt, has an eye to the murder of Charles I. in which Cromwell was too deeply concerned for me to pretend to excuse him. I shall only observe, that this accusation

Id. p. 506,

p. 509.

cufation is not peculiar to him, but is common to him with the whole independent parliament. 1658.

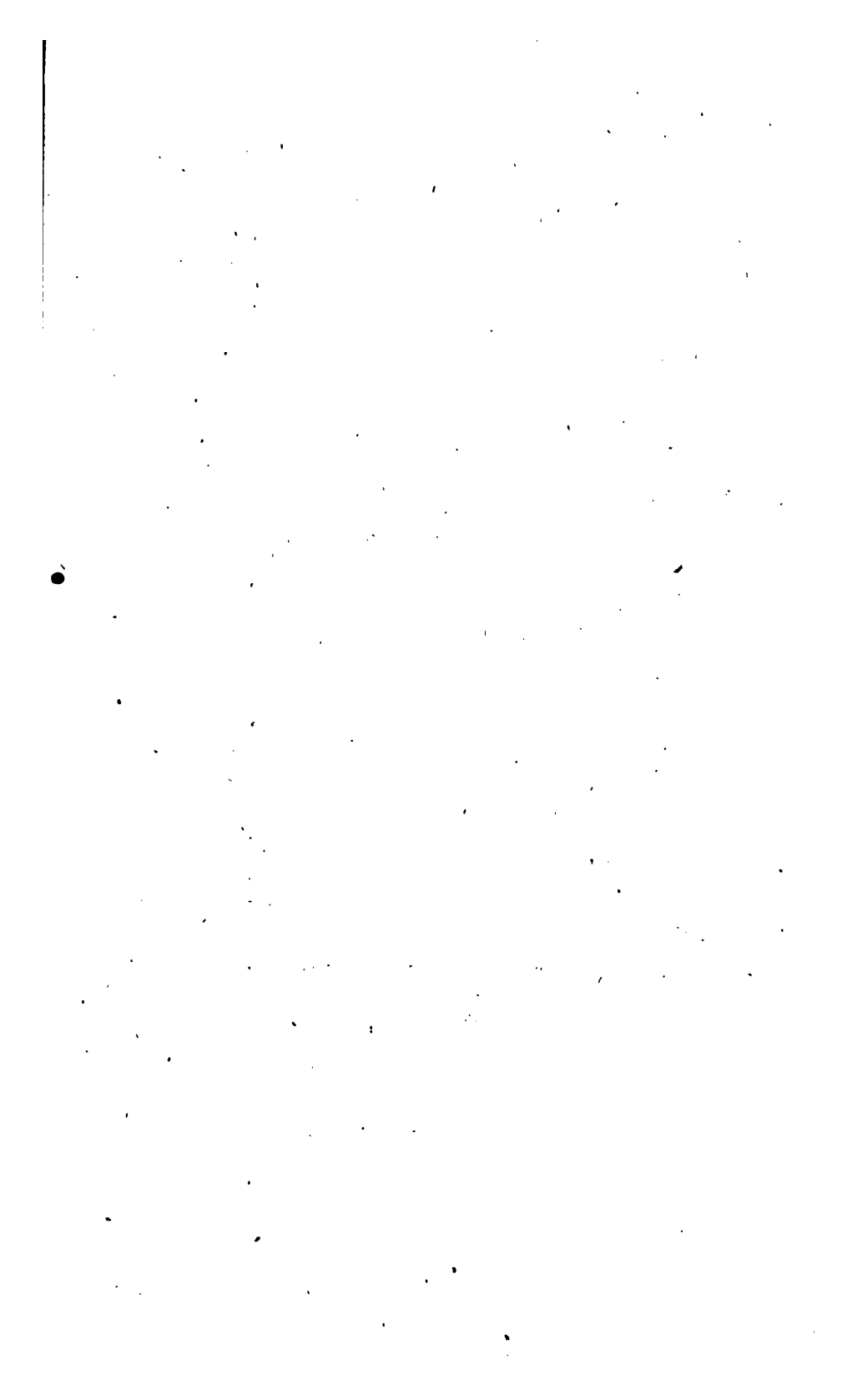
To form a juft and rational idea of Cromwell's character, his conduct and actions in themfelves muft be examined, and joined to the juncture of the time, independently of the opinions of his enemies. We have no other hiftorians of thofe times than the royalifts, who have laid down certain principles, by which he is condemned. But, it muft be obferved, thefe principles were not generally received, in England, during his life. What can never be entirely excufed in him, is the death of Charles I. to which he contributed to the utmoft of his power, and which will be an indelible blot upon his memory. Another principle, and of which he made great ufe, is likewife to be condemned in him: which was, that moral laws were only binding on ordinary occafions, but might be difpenfed with upon extraordinary cafes; which is abfolutely falfe. His ufurpation of the government has been already confidered, and the reader is left to his judgment. I fhall only obferve, that the confufion which prevailed in England, foon after the death of Cromwell, clearly fhows the neceffity of that ufurpation.

In general it can't be denied, that Cromwell was one of the greateft men of his age, if it is confidered, that without the advantages of birth or fortune, he rofe fo near a throne, that it was in his power to mount it. Hiftory furnifhes very few inftances of this kind<sup>k</sup>.

Cromwell's death was followed with fo many alterations in the government, that the interval between that and the reftoration, may be juftly called a time of true anarchy. Cromwell fhould have had a fucceffor like himfelf, to finifh what he had fo ably begun. But two fo great men are not commonly found fo near one another, nor often in the fame age.

<sup>k</sup> The wife of Oliver Cromwell, was Elizabeth daughter of fir James Bouchier. Life. p. 2.—His mother, who was daughter of fir Richard

Steward, muft have lived to a very great age, for ſhe was buried in Weftminfter Abbey, November 17, 1654, Whitelock, p. 608,



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T H E

# H I S T O R Y

O F

# E N G L A N D.

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B O O K XXII.

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## P A R T III.

RICHARD CROMWELL, *Protector*.

**I**N the last days of Cromwell's illness, some of his most intimate friends, seeing him in danger, asked him twice 1658. concerning the succession, and he readily answered, he would have his son Richard to succeed him. He had Richard Cromwell succeeds his father. however, in the time of his protectorship, signed an instru- Whitelock, ment by which he appointed Fleetwood his son-in-law for p. 674. his successor; but probably he had burnt that paper, for it Life of Cromwell, could never be found<sup>1</sup>. An hour after his death, the pri- p. 405. vey council met, and upon the report made of the will of the Ludlow. deceased, as also upon the instrument of government, im- Heath. powering them to chuse a protector, they immediately elect- Phillips. ed Richard Cromwell. Fleetwood even relinquished before them, the right, he might have, in case the paper signed in

<sup>1</sup> Some say, that Oliver had actually made Fleetwood his heir; but one of his daughters knowing where his will was, took it away, and burnt it, before Fleetwood could come at it: and a few minutes before Cromwell's death,

when he was asked, "Who should succeed him?" He replied, "In such a drawer of the cabinet, in my closet, you will find it." Life of Cromwell, p. 405.

1658. in his favour, should be found. Presently after, the lord mayor of London was acquainted with the election, and the day following Richard was proclaimed protector of the commonwealth of England, Scotland and Ireland. The same proclamation was made in all the principal towns of the three kingdoms, without the least opposition. On the contrary, addresses were presented to Richard from all parts, signed by many thousands to congratulate him upon his accession to the dignity of protector, and to assure him, they would willingly hazard their lives and fortunes to support him. But such addresses are not always to be depended upon, experience having often shown, they are far from being sincere, though generally expressed in the strongest terms. Thus Richard was installed successor to his father Oliver, and took the same oath. The first care of the new protector, after his installation, was to gain Monk, governor of Scotland, to his interests. After the voluntary resignation of Fleetwood his brother-in-law, of Desborough his uncle, and all the officers of the army, as well republicans as presbyterians, he seemed to have nothing to fear from England. Henry Cromwell his brother, then governor of Ireland, held that island in subjection. Scotland therefore only remained to be secured to his interests. Monk had commanded in that kingdom, ever since his reduction of it, and had so artfully managed the Scots, sometimes by rigour, sometimes by gentleness and the exact discipline of his army, that he had acquired their esteem and affection, who were never more happy than under his government, though the earl of Clarendon insinuates that he ruled like a tyrant, which seems to have no other foundation, than his disabling the Scots to withdraw their obedience from the parliament or the protector, by means of forts erected in convenient places. However this be, it is certain, Monk was master of Scotland, and Cromwell himself would have found it difficult to deprive him of that government against his consent. Many blamed the confidence Cromwell reposed in Monk, who had borne arms for the late king, and only engaged in the service of the parliament, to free himself from captivity after the battle of Nantwich, where he was taken prisoner. It was, perhaps, for these suspicions, that Richard thought himself obliged to neglect nothing to gain him to his interests. For this purpose, knowing Monk's esteem and affection for Clarges his brother-in-law, he sent him to desire his friendship. But Clarges, as well as Monk, had been zealously attached to the king, and was still so in his heart, though outwardly he

Receives  
addresses  
from all  
parts.  
Clarendon,  
III. p. 513.  
Whitelock.  
R. Coke.  
t. II. p. 77.  
Heath.

Endeavours  
to gain the  
friendship of  
Monk.

Burnet,  
p. 61.  
R. Coke,  
t. II. p. 82.

Clarendon  
in several  
places of his  
history.

Phillips,  
p. 636.  
Sends Clarges  
to him.

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he complied with the times. So, in the discharge of this commission, he took occasion to sound him, and easily found he was far from being the king's enemy. From that time Monk and Clarges held a strict correspondence. Clarges informed Monk of the transactions at London, and, in all-appearance, designed then to serve the king, though perhaps he did not yet think proper to explain himself to Monk, who was very reserved. Clarges, according to his instructions, acquainted Monk with the new protector's great esteem for him, in which he followed the sentiments of Oliver his father, who had expressly charged him to be entirely directed by his advice. Monk readily submitted to Richard's government. He obligingly acknowledged his civilities, and only told him, in general, that having no particular advice to give him, by reason of his distance, he recommended to him to encourage a learned, pious, and moderate ministry in the church, to permit no councils of officers, a liberty they had too often abused, and to endeavour to be master of the army.

Monk  
submits to  
Richard.

At the beginning of his protectorship Richard had, as I said, the pleasure of receiving addresses from burroughs, cities, and counties, to the number of fourscore and ten; and afterwards, he had the like compliment paid him from all the regiments, without any exception, so that he had reason to believe his power sufficiently established. Mean while, preparations were making for Oliver's funeral, which was solemnized with great magnificence, large sums of money being borrowed for that purpose by the new protector. After the ceremonies usually paid to deceased foreign princes, his body was deposited in Henry VII's chapel, amongst those of the kings and queens of England.

Other ad-  
dresses to  
Richard  
from the  
army,  
R. Coke,  
p. 77.  
Ludlow.  
Oliver's  
funeral.  
Heath,  
p. 411.  
Phillips.

Though

<sup>b</sup> The charges of it came to sixty thousand pounds. Manley, p. 279.

<sup>c</sup> The corps was removed, September 26, privately in the night, from Whitehall, to Somerset-house; where it lay in state till the 23d of November; and then it was carried, in a very solemn and magnificent manner, to Westminster Abbey, where it was deposited.—Some say, that it was deposited, as to outward appearance there, but that in reality, it was carried below bridge, and thrown into the Thames.—And again, others affirm, that it

was buried in Naseby fields. See Compl. hist. and life of Cromwell, p. 418---422. Old colonel Berkstead who lived to the year 1720, and had an office in the Tower when Cromwell died, constantly affirmed the truth of his being buried in Naseby field, and that he attended the corps thither privately in the night in a coach and four. He related many circumstances of the affair to a friend of one of the translator's correspondents, who sent him these particulars.

**1658.** Though the late protector was both careful and capable to preserve himself amidst the parties then in England, and to keep them in awe, it was not however in his power to extinguish them. When he was taken out of the world, each party hoped to gain the advantage under the protectorate of Richard, who had not his father's qualities, and to these hopes perhaps must be ascribed, their ready concurrence in declaring him protector. The royalists justly flattered themselves, that the different parties into which their enemies were divided, having no longer a common head capable to govern them all together, would disunite, and that disunion be serviceable to the king, and perhaps procure his restoration. Those who had approved of the government by a single person in the deceased protector, and had been most trusted by him, hoped to preserve the same credit under the son, which they had enjoyed under the father, and to direct the new protector according to their pleasure. These were the principal members of the council, though they had also amongst them a mixture of republicans and fanatics.

The different factions conceive hopes from Richard's advancement. The royalists.

The republicans.

If the republicans had consented to acknowledge Richard, it was because they were unprepared to make any opposition. The army, chiefly composed of that party, being dispersed in several counties, the officers had neither time nor opportunity to consult together. But they despaired not of finding an occasion to displace the new protector, and restore the commonwealth to the state it was in till the year 1653, when Oliver dissolved the parliament which had formed it.

The anabaptists. Burnet, p. 67.

The anabaptists were all of the republican party, because they perceived the impossibility of establishing their fifth monarchy under a protector. These were the most zealous republicans, and the hardest to be managed, on account of their singular notions, which caused them to refer every thing to their extravagant religion, and rendered them deaf to any reasons not drawn from their principles.

The republican deists.

There was another set of republicans, who regardless of religion, were governed by political views. They were accused of having no religion, or of being properly deists.

The presbyterians.

As for the presbyterians, who were very numerous in England and Ireland, besides the Scots, who were almost all of this sect, they had not changed their principles, since their expulsion from the parliament in 1648. They would have gladly

gladly admitted the king with a limited power, and the firm establishment of presbyterian government in the church. This principle had always caused them to remain by themselves, without being able to unite either with the royalists, who would hearken to no limitation upon the king's power, and were averse to their church government, or with the republicans, who would have neither king nor protector. Besides, these granted an entire liberty to all sects, which had joined the independent party, a liberty which was inconsistent with the principles of the presbyterians. For, though the presbyterians had under the reigns of Elizabeth, James I. and Charles I. taken it very ill to be denied the free exercise of their religion, they were by no means inclined to grant others the same liberty they had demanded for themselves. Nevertheless, as their number was considerable, and they might at last find a leader capable to conduct their affairs, the deceased protector thought it proper to manage them, and preserve their government in the church, but without obliging any person to conform to it. This moderation kept the presbyterians quiet under Oliver's government, and the more, as they could expect no assistance from the army, as it was then modelled. But in remaining thus separate from all the other parties, they disabled themselves from making any great progress against the independent party, who took care to keep them low. This gave the royalists room to hope, the presbyterians would at last be obliged to unite with them, to free themselves from the servitude in which they were held by the independents and republicans. The sequel will show, this hope was not groundless.

This short recapitulation of the interests of the several parties, plainly demonstrates Cromwell's capacity, who could keep them all in awe, without a positive declaration in favour of any one party. Richard proposed to begin his protectorate with his father's maxims. He formed the design of making himself master of the deliberations of his council, and of reducing the army to receive his orders with submission. By these two things Oliver maintained his authority, and if he had lived, he would not have left an officer in the army of suspected fidelity. But to pursue these maxims and execute this project, Richard should have had his father's capacity for civil and military affairs, his bravery and resolution, and, in a word, by a series of victories, should have been able to strike terror into all who could oppose his designs. But Richard had none of these great talents to command fear and respect, or to inspire his friends with hopes of a power-

Richard's  
designs to  
become ma-  
ster of the  
council and  
the army.  
Phillips.

**1658.** a powerful protection. So, heading no party, and being incapable to govern all, he stood exposed to their ambition and violence, without being sure of an effectual assistance when he should want it. Mean while, knowing that the bare election of his person by the council, and the addresses presented to him, were insufficient to establish his authority, he believed it expedient to have his dignity confirmed by parliament, and accordingly summoned one to meet the 27th day of January 1658-9. This parliament was to consist of two houses, namely, a house of commons, containing four hundred English, thirty Scotch, and thirty Irish members; and of the other house (for as yet it had no other name) which was instead of a house of peers, and consisted chiefly of officers. They were generally men of no birth, who had advanced themselves by military posts, during the last war.

Calls a parliament of two houses  
Dec. 4.  
Clarendon,  
III. p. 514.  
Whitelock,  
Phillips.

**1658-9.** Richard had made no change in his father's council, but he was soon sensible, that this council, which was entirely directed by Oliver, was aspiring to more power under his successor. On the other hand, the army appeared less devoted to the son than to the father. They had even begun before Oliver's death, to appear less submissive, which had obliged him to remove Lambert, and some other colonels and officers, who were sowing division among the troops. His design was to make other changes, by degrees, in the army, in order to reduce them to an entire obedience, but he was prevented by death. He wanted no assistance nor advice for such purposes, and commonly his designs were executed before they were publicly known; and so well established was his authority, that no officer whatsoever retained any credit amongst the troops, the moment he was cashiered. This Lambert and some others had lately experienced. Richard was desirous to tread in his father's steps, but being sensible that his authority was not great enough, he thought he should attempt nothing, without consulting some of his principal friends. He therefore held a privy council, in which he proposed, first, the admission of more new counsellors, to secure a majority and make himself master of the debates, in spite of the old counsellors, who were less tractable than in the time of his father. Secondly, he proposed to reduce the army to an entire dependence upon him<sup>d</sup>.

Richard proposes an addition of new members to his council.  
Phillips,  
p. 639.

Meets with great difficulties,  
Phillips,

His

<sup>d</sup> The officers of the army were then divided into three parties. The first, or commonwealth party, consisted of colonel Ashfield, Lilburn, Ples, Munton Moss, Farly, Creed, &c. The second called the Wallingford house,

His friends, whom he consulted on this occasion, were 1658-9. self-interested and attached to him, only in hopes of governing in his name. They apprehended; the protector's proposal might be prejudicial to themselves; and that in procuring him an absolute power, they might be the first sufferers. He therefore found a strong opposition in these pretended friends. Instead of approving his design, they advised him to call into his council two colonels; wholly devoted to the republican party. Nor was this all; some of the leading officers of the army were informed of the protector's designs, and that was sufficient to put them in motion. Fleetwood his brother-in-law and Desborough his uncle, were the first to combine against him and cabal with the officers, to deprive him of the generalship of the army, to which they were authorized by the instrument of government. But, probably, they would never have thought of using that power, if Richard had not discovered his intentions of becoming absolute master of the army, and putting himself in a condition not to want their assistance. However, as the army lay dispersed, and it was necessary, that the officers should consult together, and act in concert for the preservation of their authority, and the opposing the protector's designs, a snare was laid, in which he suffered himself to be taken. It was insinuated, that the parliament which was going to sit, might prove dangerous to his authority, should they not be tractable, and therefore it was necessary to fortify himself with a good number of officers, as well to consult them, as to show the parliament, he was supported by the army, which could not but produce a good effect. Richard, believing this advice proceeded from their zeal for his service, was easily persuaded to order every regiment to send to London as many officers as could be spared. This order was punctually executed, and immediately a great number of officers appeared in London, who formed amongst them a council, which frequently met, and assumed the title of the great council of the army.

Besides this great council, some members of the privy council, and officers of the army met also at Desborough's house, as well to consult how to deprive Richard of the generalship, as to direct the great council, which being composed

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posed

an army party, who had set up Richard Cromwell, in expectation of governing as they pleased, were, Fleetwood, Desborough, Sydenham, Clark, Kelley, Berry, Haines, Blackwell, &c. The

third, or Richard's party, were, Ingoldsby, Gough, Whalley, Howard, Goodrick, Keins, &c. Ludlow, tom. II. p. 631.

The principal officers of the army combine against him. Phillips, p. 639. Ludlow.

Advise him to call a great number of officers to London. Ibid. Ludlow, t. II. p. 640.

These officers formed a great council. Offer a petition to the protector. Phillips, R. Coke. t. II. p. 78. Bates.

1658-9. posed of many inferior officers, wanted to be directed in their deliberations. The result of this council was, that Desborough, attended with several officers, waited on the protector with a petition, "That no officer or soldier should be turned out but by sentence of a council of war: that no member of the army should be proceeded against capitally, otherwise than by martial law: and lastly, that the army might have power to chuse their own general." As nothing was more contrary to Richard's designs than this demand, he positively rejected it, and threatened even to cashier them if they brought him any more such proposals.

Here rejects it.

The parliament assembling the 27th of January\*, it was immediately debated in the lower house, by what right the Scots and Irish sent representatives to the English parliament. The authority of the other house was also taken into consideration, and the same objections made to it, as had been in Oliver's last parliament. As there were many republicans in the house of commons, great endeavours were used to suppress the other house, for fear of its becoming at last a house of lords, and opposing the re-establishment of the commonwealth, which was the object of their most ardent wishes. The debate upon these two articles held two whole months, and it was the 28th of March, before it was resolved, by a majority of voices, that the other house should subsist, and the Scotch and Irish representatives continue to sit in the house of commons. After that, the parliament made an act to recognize Richard Cromwell for protector of England, Scotland, and Ireland†.

An act to recognize Richard. Whitelock, Heath.

1659.

Petition of the officers in favour of Fleetwood. April 6. Whitelock. Clarendon, III. p. 515. Phillips.

While these things were transacting in parliament, the great council of officers at Fleetwood's house, and the private council at Desborough's continued their conferences and deliberations. At last, they presented a petition to the protector, desiring Fleetwood for their general. This was directly depriving the protector of the command of the army,

69

e Chalkoner Chute, was chosen speaker of this parliament. Whitelock, p. 676.

f Particularly Hallerigge, Henry Nevil, sir Henry Vane, Berry, Desborough, Fleetwood, &c. Idem, p. 677.

g In the examination of the public accounts, brought into this parliament, it was found, that the yearly incomes of England, Scotland, and Ire-

land, came to eighteen hundred sixty eight thousand, seven hundred, and seventeen pounds. And the yearly expences to two millions, two hundred and one thousand, five hundred and forty pounds. And to maintain the conquest of Scotland, cost yearly, one hundred sixty three thousand, six hundred, and nineteen pounds. Heath, p. 415.

to which he could not consent, without exposing himself to the caprices of the principal officers, who directed the army as they pleased. Wherefore, instead of returning a favourable answer to their petition, he sharply reprimanded them, ordering them to dissolve their council, and return to their quarters. On the other hand, the house of commons perceiving, the officers were contriving some plot which might be prejudicial to the parliament, voted against the holding a council of officers during the session of the parliament; and moreover, that no person should have any employ in the army, till he had taken an oath not to disturb the deliberations of the parliament. Immediately after, these votes were sent to the other house, now called the upper house, for their concurrence. But as the officers were most prevalent there, they believed it no part of their duty to contradict what their comrades were doing. So, the votes of the commons were no more capable, than the orders of the protector, to dissipate the councils of the officers, who still continued to assemble.

At last, on the 22d of April, Richard had notice, that the officers had resolved to force him to dissolve the parliament. He immediately assembled his council to prevent, by their advice, this attempt. Some were of opinion, that he ought absolutely to refuse such a demand, and adhere to the parliament, as his only support. But he was not directed to the means to defend himself against the officers, who began to assemble in the neighbourhood of Whitehall, and would probably have been too strong for his guards. Others advised him to leave Whitehall, and suffer the officers to do as they pleased with the parliament, without any promise to dissolve it. But the officers, foreseeing, he might take that course, had now seized all the avenues about Whitehall. In short, every man proposed expedients, to which others objected insuperable difficulties. During these irresolutions, Deiborough, with a strong retinue, demanded an audience of the protector, and required him, in the name of the officers, to dissolve the parliament<sup>b</sup>. Richard at first refused to grant this demand; but he was told, his refusal would be attended with danger to himself, and that, in a word, they were resolved to obtain, by fair means or foul, what they demanded. In fine, Richard, who, before Def-

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borough

<sup>b</sup> Threatening, if it were not speedily done, they would set fire to the

house, and kill all who should resist. p. 641. R. Coke, p. 79.

1659.  
Rejected by the protector.  
Clarendon, III. p. 515.  
Vote of the commons against the officers.  
id. p. 516.  
Phillips.  
R. Coke.  
Heath.  
Lodlow.  
The officers force the protector to dissolve the parliament.  
Clarendon, III. p. 516.  
Phillips.  
R. Coke.

Bates.  
Lodlow, t. II. p. 626.

Clarendon, III. p. 516.  
517.  
Phillips.

1659. borough came, had not been able to take any resolution, was still more incapable to consider what was to be done, after he was surrounded with men who showed but little regard for his authority. He therefore promised to dissolve the parliament by commission under the great seal. But as the commons, informed of what passed, had adjourned themselves for three days, the parliament was dissolved by proclamation.

April 22.  
Whitelock.

Richard  
loses all his  
credit.

The officers  
seize the go-  
vernment.  
Phillips.

Chuse Fleet-  
wood for  
their gene-  
ral, and  
discharge  
several co-  
lons.  
Clarendon.  
III. p. 517.  
Phillips.  
R. Coke.  
Ludlow.

Lambert's  
reasons.  
Ludlow,  
t. II. p. 642.

From that time, Richard was no longer regarded, tho' he still bore the title of protector. The officers considered him as an impotent enemy, incapable of hurting them. So he lost on a sudden the support of the parliament, without gaining that of the army. This is what cannot be denied. But those who imagine, that if he had stood by the parliament, he would have engaged the people in his interests, and been supported by Monk and his army, build their conjecture upon a very uncertain supposition. Besides, was it in his power to refuse a dissolution of the parliament, without hazarding his own life, or to support himself, till he should have received a sufficient aid, against the violences of the army? Be this as it will, after the parliament was dissolved, the great council of officers thought themselves impowered to settle the government as they pleased, without consulting the protector, who was now regarded but as a private person<sup>1</sup>. This anarchy however lasted only a few days, during which the officers elected Fleetwood for their general. They discharged also by their own authority five colonels, who advised Richard to adhere to the parliament, namely, Ingoldsfy, Goff, Whaley, lord Falconbridge brother-in law to Richard, and Howard afterwards earl of Carlisle, and restored Lambert and others dismissed by Cromwell a little before his death. After this, they considered of settling the government, it being impossible for things to continue long in their present situation.

Lambert was a man of immoderate ambition, and would not have scrupled to follow the example of Oliver, had the juncture

<sup>1</sup> Ludlow says, one great offence given by Richard to the nation was, by his religion. For an officer having murmured at the advancement of persons, who had been cavaliers, to commissions in the army, was brought to Whitehall to answer it. Richard, in

a deriding manner, asked him, "Whether he would have him prefer none but those that were godly? here, continued he, is Dick Ingoldsfy, who can neither pray nor preach, and yet I will trust him before you all." Mem. tom. II. p. 633.

1659.

junction seemed favourable to him. But Fleetwood being his general, and the idol of the army, he could not hope to succeed in an attempt to seize the government. He therefore thought proper to wait a more favourable opportunity, and, in the mean time, hinder Fleetwood from putting himself at the head of the government, whether under the name of protector, or any other title, to which he had several reasons to believe he was aspiring. First, Cromwell had once named him for his successor by an instrument under his own hand, and many believed this instrument had been artfully convey'd out of the way, either during Cromwell's life, or after his death, lest it should obstruct his son Richard's election. It was even said, that Cromwell's nomination of his son in the time of his illness, was only the contrivance of secretary Thurlo, and another person, to procure the succession for Richard. Secondly, Fleetwood was one of the most zealous enthusiasts, of whom the army was full, and therefore looked upon with veneration by the soldiers, and judged most worthy to be Cromwell's successor. Thirdly, it was hardly to be doubted, that it was the interest of the army to chuse a protector, who should depend on them, and in his turn support their credit. This Lambert considered, but as it was not for his advantage to have Fleetwood raised to a dignity to which he himself aspired, he secretly engaged colonel Lilburn to cabal among the inferior officers, and break Fleetwood's measures, if they pointed to the protectorship, whilst he regularly made his court to him, and endeavoured by his flatteries to influence him as Cromwell had formerly influenced Fairfax. This example made Lambert hope, that he might the same way put himself one day at the head of the government.

April 29.  
Phillips,  
P. 642.  
Warwick.  
Ludlow.

Lambert's cabal being made with the greatest secrecy, Fleetwood, as general, convened his officers to Wallingford house to settle the government. All the superior officers came, but at the same time the inferior, by the intrigues of Lambert and Lilburn, assembled at St. James's in much greater numbers. In this assembly, the settlement of the government was likewise debated, and occasion taken, to magnify the happiness which England enjoyed under the administration of the parliament, from the 6th of December 1648, to the 20th of April 1653, when it was dissolved by Cromwell. Their prudence, steadiness, and happy success in England, Scotland, Ireland, and in the Dutch war were extolled, with some intimations of advice, that nothing

1659. could be more advantageous to the three nations, than the restoration of that parliament<sup>k</sup>.

The officers This debate was carried no farther; but it sufficed to convince the assembly at Wallingford house that a division between them and the inferior officers could not but be dangerous to both, and that their best way was to join with the inferior officers in restoring the long parliament. It is not known what was the design of the chief officers with regard to the government, but it is certain, the proposal of the inferior officers was contrary neither to the principles nor the sentiments of the army in general. This will be easily perceived, when it is considered, that the officers and soldiers, for the most part were independents, anabaptists, enthusiasts, republicans, such in a manner as were the members of the parliament dissolved in 1653, and now proposed to be restored. However this be, all the officers being united, declared for the good old cause, that is, for the cause supported by the parliament, which brought the king to the scaffold, and turned the monarchy into a commonwealth. It was therefore resolved in a general council at Fleetwood's house, to restore the long parliament.

They have a mind to take some precautions for their security.

Phillips, p. 643. Ludlow,

II. p. 645.

Mean while, as this parliament had no reason to be pleased with the army, which, in 1653, took part with Cromwell against them, the great officers were afraid, that when the members were restored to their authority, they would think of being revenged. Besides, they knew the resolution and firmness of these members, who would infallibly keep the army in a state of dependence. The officers therefore judged it absolutely necessary, before they proceeded, to demand certain conditions, and to be previously assured of that compliance of the parliament, when they should resume their authority. For that purpose, they had conferences with some of the members, who had been the leading men in the parliament, namely, Vane, Haslerig, Scot, Salway, to engage them to promise, these conditions should

<sup>k</sup> Whitelock says, upon the dissolution of the parliament, all matters were at a stand; the army had thoughts of raising money without a parliament; but upon advice, they durst not adventure upon it, but thought it a safer way to restore the members of the long parliament. The great officers of the army were advised to consider better of their design of bringing in the mem-

bers of the old parliament, who were most of them discontented, for their being formerly broken up by Cromwell, and did distaste the proceedings of the army; and whether this would not probably more increase the divisions, and end in bringing in the king; but the officers had resolved on it. *Mem.* p. 677.

should be granted. But these members would not make any such promise, under colour, it did not belong to them to preclude the resolutions of the parliament. This refusal rendered them suspected to the superior officers, but the inferior, being the most numerous, overlooked this difficulty, and were contented with a verbal promise from these four members, that they would use their endeavours to procure a grant of these conditions. 1659. But meets with difficulties.

**T**HINGS being thus settled, Lambert at the head of a considerable number of officers<sup>1</sup>, repaired to the house of Lenthall, speaker of the long parliament, and presented to him the declaration of the great council of officers, by which the members of the parliament dissolved by Cromwell April the 20th 1653, were invited to return to the exercise of their authority. Lenthall answered, he would communicate the declaration to the members then in London, which he did the next day, and, the invitation being accepted, they met in parliament the 7th of May, to the number of only forty two<sup>2</sup>. Thus the three nations were once more under the tyrannical dominion of a parliament, which had not feared to imbrue their hands in the blood of their sovereign: but with this difference, that the number was reduced to the half of what it was in 1648, when the presbyterian members were excluded. Hence they were called in derision the rump parliament, in allusion to a fowl all devoured but the rump. The presbyterian members, who had been expelled in 1648, would have resumed their seats, but none were admitted besides those who had sat, from the first of January 1648, to the 20th of April 1653, and in this the pretended parliament was supported by the officers, whose interest it was, not to suffer the presbyterians to prevail in the house. The parliament dissolved in 1653, is restored May 7, Whitelock, p. 678. Phillips, Heath. Id. p. 419. R. Coke, p. 80. Called in derision, the rump, and why. The presbyterian members not suffered to take their seats in the house.

When the parliament was restored to their authority, they sent Clarges to Monk, to engage him to submit to the new government. They knew, Monk was not of their principles, and if they had dared, instead of desiring his acquiescence, Clarendon, III. p. 517. Heath. The parliament send Clarges to Monk. Phillips, Burnet,

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<sup>1</sup> Lambert, Berry, Cooper, Hastinges, Lilburn, Ashfield, Salmon, Zanchey, Kelsey, Okey, Blackwell, Haines, Allen, Packer, and Pierfon. Whitelock, p. 678.

<sup>2</sup> See a list of them in Heath, p. 419.—May 7. They went in a body to the house, Lambert guarding them with soldiers. Then they passed

a declaration touching their meeting, p. 644. and "their purpose to secure the property and liberty of the people, both as men, and as christians, and that "without a single person, kingship, "or house of peers, and to uphold "magistracy and ministry." Whitelock, p. 678.

1659. efcence, they would have ſent him a ſucceſſor, to govern Scotland. But Monk had ſo eſtabliſhed himſelf in that country, that being maſter of the fortified places, and aſſured of the affection of the Scots and of his army, it would have been dangerous to deprive him of his government againſt his will. It was therefore judged ſafeſt by the parliament to gain him by fair means, and undermine by degrees his credit and authority in the army. Monk had ſo little foreſeen the late change in England, that he had not time to take any meaſures to regulate his conduct. When he ſounded his officers, he found they were preingaged by letters from their friends in London. So, all he could do after the arrival of Clarges, was to acquieſce, and expreſs his ſatisfaction to ſee the parliament reſtored, though he was convinced, the leading men both in the parliament and army were not his friends.

Monk ſubmits to the authority of the parliament.  
Clarendon, III. p. 520.  
Whitelock.  
Phillips.

The officers preſent a petition to the parliament.  
May 12.  
Phillips, p. 644.

Four days after the parliament met, Lambert, attended by ſeveral officers, preſented a petition and addreſs from the general council of officers, in which after ſome compliments, they demanded,

“ 1. That the liberty of the perſons, and property of the eſtates of all free people of theſe nations, be maintained, preſerved, and kept inviolable, according to law, under the government of a free ſtate and commonwealth, without a ſingle perſon, kingſhip, or houſe of peers.

“ 2. That there may be ſuch a juſt and due regulation of law, and courts of juſtice and equity, as that they may be a protection, and not vexatious or oppreſſive to the people of theſe nations.

“ 3. That by an act of oblivion, all and every perſon and perſons, who have, ſince the 19th of April 1653, mediately or immediately adviſed, acted, or done any matter or thing whatſoever, in reference to the ſeveral changes or alterations in the government of theſe nations, ſince the ſaid 19th of April 1653, or in order to the publick ſervice, peace, or ſafety of theſe nations, be indemnified and ſaved harmleſs, to all intents and purpoſes whatſoever.

“ 4. That all laws, ordinances, declarations, and eſtabliſhments, made in the ſeveral changes and alterations of government, that have been in theſe nations, ſince the 19th of April aforeſaid, and not as yet particularly repealed, be deemed good in law, until particularly repealed.

“ 5. That such debts as have been contracted for the  
 “ publick service and affairs of this commonwealth, and  
 “ for the charges of the government, since the 20th of  
 “ April 1653. be carefully paid and satisfied. 1659.

“ 6. That all persons who profess faith in God the fa-  
 “ ther, and in Jesus Christ his eternal Son the true God,  
 “ and in the Holy Spirit God co-equal with the father and  
 “ the Son, one God blessed for ever, and do acknowledge  
 “ the holy scriptures of the Old and New Testament, to be  
 “ the revealed or written word or will of God, shall not  
 “ be restrained from their profession, but have due encour-  
 “ agement, and equal protection in the profession of their  
 “ faith, and exercise of religion, whilst they abuse not their  
 “ liberty to the civil injury of others, or disturbance of o-  
 “ thers in their way of worship: so that this liberty be not  
 “ extended to popery or prelacy, nor to such as shall  
 “ practise or hold forth licentiousness or prophaneness, un-  
 “ der the profession of religion: and that all laws, statutes,  
 “ or ordinances, and clauses in any laws, statutes, or ordi-  
 “ nances to the contrary, may be declared null and void.

“ 7. That a godly, faithful, and painful gospel preach-  
 “ ing ministry be every where encouraged, countenanced,  
 “ and maintained.

“ 8. That the universities and schools of learning be  
 “ so countenanced and reformed, as that they may become  
 “ the nurseries of piety and learning.

“ 9. That such persons as have, at any time since the  
 “ 20th of May 1642, aided, or assisted, or adhered to the  
 “ late king, Charles Stuart his son, or any other person  
 “ or persons whatsoever of that party, against the parlia-  
 “ ment or commonwealth of England, and all other per-  
 “ sons whatsoever, that have made use of any authority or  
 “ power under pretence of law, or otherwise, to deprive  
 “ or abridge any of the good people of these nations of  
 “ their christian liberty, or have, or shall express themselves  
 “ in any way mockers, scoffers, or revilers of godliness, or  
 “ of the professors thereof, or are otherways scandalous or  
 “ loose in their conversations, or have not given good sa-  
 “ tisfaction of their affection and faithfulness to this cause,  
 “ may be speedily removed out of all places of power or  
 “ trust in the magistracy, or other management of the  
 “ publick affairs of these nations; and that no such persons  
 “ may be admitted unto any such place of power or trust  
 “ for the future.

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“ 10. And so farasmuch as no godly, or other good interest can be preserved, or maintained, unless the persons who are chiefly entrusted with the management and exercise of the government, be of suitable spirits to those interests; that those who are or shall be intrusted therein, be such persons as shall be found to be most eminent for godliness, faithfulness, and constancy to the good cause and interests of these nations.

“ 11. That to the end the legislative authority of this commonwealth may not, by their long sitting, become burthensome or inconvenient, there may be effectual provision made for a due succession thereof.

“ 12. And for the better satisfaction, and more firm union of the forces of this commonwealth, in this juncture of affairs, for preserving and maintaining the principles, and other matters thereunto subservient, we do unanimously acknowledge and own the lord Charles Fleetwood lieutenant general of the army, to be commander in chief of the land forces of this commonwealth.

“ 13. That in order to the establishing and securing the peace, welfare, and freedom of the people of these nations, for the ends before expressed, the legislative power thereof may be in a representative of the people, consisting of a house, successively chosen by the people, in such a way and manner as this parliament shall judge meet, and of a select senate, co-ordinate in power, of able and faithful persons, eminent for godliness, and such as continue adhering to this cause.

“ 14. That the administration of all executive power of government, may be in a council of state, consisting of a convenient number of persons qualified, in all respects, as aforesaid.

“ 15. That all debts contracted by his late highness, or his father, since the 15th of December 1653, may be satisfied, and that an honourable revenue of ten thousand pounds per Annum, with a convenient house, may be settled upon him and his heirs for ever; and ten thousand pounds per Annum more upon him during life; and upon his honourable mother, eight thousand pounds per Annum during her life, to the end a mark of the high esteem this nation hath of the good service done by his father, our ever renowned general, may remain to posterity.”

The

The parliament returned a general answer to this petition, and thanked the army for their affection to the publick. Then, taking it into consideration, they approved of all the articles in general, but appointed a particular committee to examine those which concerned the government. As to what related to Richard Cromwell and his mother, it was not to be debated, till they should be assured of his submission to the government. For this purpose, a committee was sent to inform him of the resolutions of the house, and to require his acquiescence in the late change. The day after, Richard delivered to them the following answer in writing:

"I have perused the resolve and declaration which you were pleased to deliver to me the other night, and for information touching what is mentioned in the said resolve, I have caused a true state of my debts to be transcribed, and annexed to this paper, which will shew what they are, and how they were contracted.

The protector Richard's submission to the powers in being. Phillips, p. 647.

"As to that part of the resolve, whereby the committee are to inform themselves, how far I do acquiesce in the government of this commonwealth, as it is declared by this parliament:

"I trust, my past carriage hitherto hath manifested my acquiescence in the will and disposition of God, and that I love and value the peace of this commonwealth much above my own concerns; and I desire, that by this, a measure of my future deportment may be taken, which, through the assistance of God, shall be such as shall bear the same witness, having, I hope, in some degree, learned rather to reverence and submit to the hand of God, than to be unquiet under it. And (as to the late providences that have fallen out amongst us) however, in respect of particular engagements that lay upon me, I could not be active in making a change in the government of the nations; yet, through the goodness of God, I can freely acquiesce in it being made; and do hold myself obliged, as (with other men) I expect protection from the present government, so to demean myself with all peaceableness under it, and to procure to the utmost of my power, that all in whom I have any interest do the same."

RICHARD CROMWELL,  
When

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The parliament grant him but 20000*l.* to pay his debts, and order him to quit Whitehall.  
Phillips.  
Whitelock.

When the parliament examined the account of Richard's debts, the article of expences for his father's funeral was rejected, so that Richard was forced to pay that debt out of his inheritance, which swept away the greatest part of his estate, which was not very large, considering Cromwell's advancement during his life. As to the revenue, and annual pension desired by the officers for Richard and his mother, the parliament referred the consideration of them to another opportunity, and contented themselves with assigning twenty thousand pounds for the payment of his private debts<sup>a</sup>. The members had but too much cause to complain of Oliver Cromwell, who had deceived, and shamefully dismissed them, to think themselves obliged to do so much honour to his memory, and bestow so great advantages on his widow and son. When they granted him the twenty thousand pounds, they required him to remove from Whitehall in six days<sup>b</sup>.

Fleetwood appointed general but for one year only.  
Phillips.  
Whitelock.

It may be observed in the 12th article of the petition of the officers, that, as they expressed themselves, they did not intend to leave to the parliament the liberty of not appointing a general, or of naming any other than Fleetwood, since, instead of petitioning, they said in that article, "We do" unanimously acknowledge the lord Charles Fleetwood to "be commander in chief of the land forces of the commonwealth." The parliament thought it not proper then to examine the manner in which this article was expressed, for fear of raising some difference between them and the army, at a time when they derived their authority only from the declaration of the officers who had restored them. Fleetwood therefore was appointed commander in chief of the land forces of England, Scotland, and Ireland, but only for one year. This resolution being taken, the parliament voted, that Fleetwood should have power to sign and seal such commissions, for the constituting of officers under him, as should be approved by the parliament, and nominated by sir Henry Vane, sir Arthur Haslerig, lieutenant-general Fleetwood,

Ludlow,  
c. *II.* p. 660.  
Phillips.

Ludlow.  
*Ibid.*

<sup>a</sup> Whitelock says, that his debts were in all, twenty-nine thousand, six hundred, and forty pounds. p. 681. As! Ludlow, that the parliament ordered twenty thousand pounds to be presently paid him, and passed a resolution to pay those debts he had contracted on the publick account. Tom. *II.* p. 665.

<sup>b</sup> After the restoration he went to France, and continued some years in obscurity at Paris; but upon the rumour of a war between France and England, he removed to Geneva. Some years before the death of king Charles II. he returned to England, and died at Cheshunt in Hertfordshire in 1712. *Life of Cromwell*, p. 432.

Fleetwood, and the colonels Lambert, Desborough, Ludlow, Berry, or the major part of them, who were made commissioners for that purpose. But upon the second reading of the bill, the clause empowering Fleetwood to sign commissions was altered, and it was ordered, that all commissions, both to the commission-officers of the army and the captains of the fleet, should be signed by the speaker of the parliament of the commonwealth of England, to be written by the clerks attending the council of state<sup>p</sup>, and delivered to the officers gratis by the speaker, in the parliament house. This was a plain indication, that the parliament pretended, that the officers should owe their advancement to them alone. The same day the parliament voted, That the government of Ireland should be by commissioners, nominated and appointed by parliament, and not by one person, and that Henry Cromwell should be acquainted with the order, and required forthwith to repair to the parliament. He peaceably submitted, though, in all probability, if he had been inclined to resist, the new governors would have found it difficult to remove him. He was extremely beloved in Ireland, both by the army and the English inhabitants, having never injured any person, but, on the contrary, obliged every one, as far as lay in his power. But, doubtless, not thinking himself secure of success, and receiving no orders from his brother, he was unwilling to undertake so important an affair. All the historians are unanimous in their praises of him, and generally believe, that he had been protector instead of his elder brother, the officers would have met with their match, or not attempted what they undertook against Richard.

Fleetwood, Desborough, Lambert, and the rest of the principal officers, were by no means pleased with the proceedings of the parliament, but knowing, the inferior officers considered their dependence on the parliament as an advantage,

1659. The parliament orders all military commissions to be signed by the speaker.  
Clarendon, III. p. 520.  
Ludlow, t. II. p. 656.  
660, 664.  
Whitelock. Provides for the government of Ireland, and recalls Henry Cromwell.  
Clarendon, III. p. 518.  
Ludlow, p. 666.  
Phillips.

His good character.  
Clarendon, Ibid.

The parliament enters upon measures to make itself master of the army.  
Phillips, p. 648.

p. The parliament had named a council of state, for the more immediate executive power. It was to consist of thirty one persons, whereof twenty one were to be members of parliament, and ten not. The twenty one were, Whitelock, sir James Harrington, sir Arthur Haslerig, sir Henry Vane, Thomas Chaloner, Henry Nevil, chief justice St. John's, Thomas Scott, Robert Reynolds, Wallop; lieutenant-general Fleetwood, major Saloway, colonel Mor-

ley, Algernoon Sidney, Walton, Dixwel, Thompson, Sydenham, Jones, Downes, and Ludlow: the ten were, president Bradshaw, lord Fairfax, major-general Lambert, sir Anthony Ashley Cooper, sir Horatio Townshend, colonel Desborough, Berry, Barnes, Johnson, and Honywood. Ludlow, tom. II. p. 656. They had also nominated the judges and commissioners of the great seal, a new one being made different from the old, &c. Whitelock, p. 679.

1659. vantage, they dissembled their resentments, and received their commissions from the speaker. On the other hand, the parliament believed it of the utmost importance, to be master of the army; which they flattered themselves, would enable them to rule peaceably and absolutely, and, without doubt, perpetuate their authority. But till this was done, they saw they were to expect a strong opposition, considering the restless temper of the principal officers, who were ever seeking to make themselves necessary, for fear of losing their posts. This was the first and almost open design of the parliament. For this purpose, the committee appointed to examine commissions was continued, who knowing the intentions of the house, made great alterations in the army, displacing such as were suspected, and substituting others of more assured fidelity. The same thing was done to the army commanded by Monk, and many officers being removed, others were appointed to succeed them, and those that were displaced were most confided in by Monk. Clarges had now acquainted Monk with the parliament's designs, which were very manifest, and Monk had but too much cause to perceive them by the alterations, the committee would have made in the army of Scotland. He writ to the committee so as to show them, he plainly saw their design to undermine his authority. He used some expressions in his letter, which made the parliament apprehensive there would be danger in driving a man to extremities, who had twelve thousand men, and all Scotland at his disposal. For this reason, the officers, appointed by the committee to go into Scotland, received orders, not to proceed on their journey. But this was only to gain time, in expectation of a more favourable opportunity.

They continue the monthly tax upon the three kingdoms. Phillips, p. 649. Ludlow, t. II. p. 668. A conspiracy of the royalists in favour of the king. Clarendon, III. p. 521. Phillips.

The 18th of June the parliament voted the continuation of the monthly assessment of thirty five thousand pounds, imposed by the parliament of the year 1656. Then, commissioners were named for the civil government of Ireland, and a commission granted to Edmund Ludlow, who was one of the king's judges, and a most zealous republican, to command the forces of that country.

Mean time, the parliament having received confused intimations of a plot forming in favour of the king, the royalists had orders to withdraw twenty miles from London. This intimation was not groundless. In March this year, the king, by a declaration, had impowered commissioners to treat in his name with those, who having been against him or his father, were willing to return to his obedience. These

These commissioners spared neither pains nor promises, to increase the number of the king's friends, and certainly there could not be a more favourable opportunity. All were weary of the tyranny of an independent parliament, consisting of forty persons, and of an army, whose officers were mostly fanatics, and who, under colour of promoting piety, and extending the kingdom of Christ, had only their interest in view. The presbyterians themselves, and the members of that party, who had been expelled the house in 1648. seeing little appearance of ever recovering the ground they had lost, and that nevertheless they remained exposed to the tyranny of the independents and fanatics, agreed at last with the king's party, to deliver the nation from the servitude to which it was reduced. The particulars and terms of this union are not known, because the historians who speak of it, being all royalists, have not thought fit to do so much honour to the presbyterians. But it can't be concealed, that from this time, the presbyterians no longer appeared as the king's enemies, but on the contrary, as will hereafter be seen, very much promoted his restoration.

It was on the hopes, that the presbyterians would assist, or at least not oppose them, that the royalists projected an insurrection in several parts of the kingdom, in expectation, it would at last become general. For this purpose, they intended to seize at once Gloucester, Lynn, Plymouth, Exeter and Chester. They believed their measures so well taken, that they doubted not of success. For they still relied on the people's affection for the king, in which they were often mistaken. Mr. Mordaunt crossed the sea, to inform the king of the project, which he thought so well laid, that he repaired secretly to Calais<sup>q</sup>, and then to St. Malo's, to be nearer England, in case the plot succeeded. But this project vanished like the rest. Sir Richard Willis, who as I have said, betrayed the king's party, informed Thurlo of it, and Thurlo the council of state, who immediately put the militia in safe hands, and took other precautions, which invincibly obstructed the execution of the project. Masley was taken in attempting to surprize Gloucester, but found means to escape. The lord Willoughby of Parham, and sir Horatio Townsend, who were gone to the west to serve the king, were arrested and sent to prison. There was only

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The presbyterians inclinable to join with them.  
R. Coke, p. 81.

The project of an insurrection.  
Clarendon, III. p. 522.  
Phillips, p. 649.

Are betrayed by Willis.  
Clarendon, III. p. 522.  
Masley, &c.

Sir George Booth, &c.  
Chester, &c.

2

<sup>q</sup> Where he said some time, before he went to St. Malo's.

<sup>r</sup> They undertook to secure Norfolk and Lynn for the king. Those

that designed to act in the west, were, Arundel, Pollard, Greenvil, Trelawny, &c. Clarendon, tom. III. p. 522, 523.

1659. Sir George Booth, who assembling about four or five thousand men, took Chester, and published a manifesto against the tyranny of the parliament, without any mention of the king, intending to make the publick believe, that the people's discontent was the sole motive of his taking up arms. Sir Thomas Middleton joined him with some troops, but these two united bodies were so inconsiderable, that Lambert, who marched against them, by order of parliament, easily defeated them, and retook Chester. Sir George Booth had the good fortune at first to escape, but was taken some days after in woman's clothes, and brought to the Tower of London. Middleton retired to a castle of his own, which held out but few days. It did not appear on this occasion that the people had the king's interest much at heart.

During these transactions, the king's friends not doubting of success, sent the reverend Nicolas Monk, the general's brother, into Scotland, to engage him in the king's party. Some have pretended, that Monk, full of hopes, that the king's party in England would succeed, was upon the point of marching to support them, but was stopped by the news of Booth's defeat, and forced to feign himself entirely devoted to the parliament. I cannot easily believe that Monk so early thought of serving the king. However, it can't be denied, that the parliament looked on Monk as a man in whom they could not confide, because his principles were very far from fanaticism, which then infected both parliament and army. This the parliament plainly showed, immediately after Booth's and Middleton's defeat by Lambert. For judging that victory would keep Monk in awe, they readily confirmed the changes before intended in the army of Scotland. Monk was so offended with this proceeding, that he writ to the speaker, to desire his dismissal, but Clarges his brother-in-law prevailed with the speaker not to communicate this letter to the parliament, who doubtless would not have failed to grant his request.

As the peace between France and Spain was to be treated at St. Jean de Luz, by the prime ministers of the two crowns, the king believed his presence at this negotiation might procure him some advantage. He therefore departed for Fontarabia in September, and crossed the kingdom of France incognito. I shall speak presently of the success of this

After this defeat, the parliament thought of transporting the loyal families into Barbadoes, Jamaica, and other plantations; and by degrees

so to model the army, that they might never give them more trouble. Clarendon, tom. III. p. 541.

and publishes a manifesto. July.

Id. p. 526. Whitelock. Ludlow, t. II. p. 685. &c.

Joined by Sir Thomas Middleton. Defeated by Lambert.

Aug. 19. Clarendon, III. p. 527. Whitelock. Phillips.

Monk the clergyman sent by the royalists to general Monk.

August. Clarendon, III. p. 548. Phillips. Skinner. Ludlow, t. II. p. 691.

The Scotch army reformed by the parliament, which offends. Monk. Phillips, p. 653. Skinner.

The king goes to Fontarabia. September. Clarendon, III. p. 531, 532.

this journey, but must first relate the change which happened in England. 1659.

The principal officers of the army, who kept in London, were still highly displeased with the parliament, plainly perceiving, their design was to become master of the army. Wherefore, they began to think of means to prevent this design, and maintain themselves in their credit and posts. They had for that purpose several secret meetings. But one difficulty was to be surmounted, before any resolution could be taken. This was, that the inferior officers were very well pleased with the parliament, who greatly caressed them, intending to use them, to get rid of their commanders. Lambert, who commanded the forces about Chester, was entirely in the party of Fleetwood and Desborough, knowing, the parliament had no better intentions for him, than for the others. Besides, his chief aim was to procure a perpetual confirmation of the generalship to Fleetwood, hopes to govern and make use of him for his own advancement to that post, as Cromwell had before done to Fairfax. Though he was absent from London, he was informed of what passed at their meeting, and gave his advice. At last, after many deliberations, it was resolved, that Lambert should try to gain the inferior officers of his army, which was less difficult, than to gain the officers of the rest of the army, who were dispersed in different quarters. Pursuant to this resolution, Lambert coming to Derby, managed, that his officers, whom he had carefully inspired with discontent, met to draw a petition, which, before it was offered to the parliament, was to be communicated to Fleetwood, for the approbation of the general council of officers. Sir Arthur Haslerig having received advice that the petition was come to London, informed the commons, and told them, the army was contriving a very dangerous plot, of which it was necessary to prevent the consequences. Upon this declaration Fleetwood was examined by the parliament, whether he knew any thing of the petition? He answered, he had a copy of it, and the original was in the hands of three officers, whom he named. Whereupon he was ordered to give notice to these officers to attend the house that afternoon with the petition, which was done, and the petition read. The stile was in the fashionable language of that time, amongst those who pretended to a more exalted piety. The substance of it was to this effect:

“ 1. That the parliament would be pleased not to suffer the petition of the general council of officers at Walling-  
Vol. XI. K ford p. 655.

Confederates  
of the army-  
officers to  
prevent the  
designs of  
the parlia-  
ment.

Phillips,  
p. 654.

Lambert  
though ab-  
sent has a  
great share  
in them.  
R. Coke,  
p. 82.

His officers  
send the plan  
of a petition  
to be offered  
to the par-  
liament.

Sept 16.  
Clarendon,  
III. p. 541

Phillips.  
R. Coke.  
Whitelock.

The parlia-  
ment in-  
formed of it.  
Ludlow,  
t. II. p. 179.

Orders the  
petition to  
be laid be-  
fore it.

Demands of  
Lambert's  
officers:

Phillips,  
ford p. 655.

1659. "ford house to be laid asleep, as it was the best expedient yet offered to a happy and durable settlement.

"2. That since a great many ill-affected persons were endeavouring to sow division in the army, the parliament would be pleased, for the preservation of that union, wherein its greatest strength lay, to establish firmly the lord Fleetwood in the command of the army, whose commission was to expire in a few months, with Lambert for his lieutenant general, Desborough for the command of the horse, and Monk of the foot.

"3. That considering the negligence of a great many persons intrusted with publick employs; the ill designs of the enemies of the good cause; the activity of some to favour those designs, and the affection and zeal shewn by others for a blameable neutrality, at a time, when their assistance is most wanted; the parliament would be pleased to make a diligent enquiry upon this subject, and proceed to the depriving of the guilty of all their employs: that on the contrary, such as in this distracted juncture declared willingly and cheerfully for the good cause, either in the county troops, or militia volunteers, or otherwise, may be looked on as friends, encouraged, satisfied in their arrears, and invested with authority in their several countries.

"4. That in the late insurrections some considerable corporations having assisted the enemy, received and furnished them with arms; the parliament would be pleased to give some signal mark of their disfavour against them; and for the future so regulate the corporations, that persons well qualified, according to the government of a well constituted commonwealth, may be intrusted with authority of the magistracy in any of the several towns, that so the footsteps of monarchy may be rooted out.

"5. That all persons whatsoever, magistrates, ministers, or others, who have secretly stirred up the inhabitants of these nations to war and commotions against the parliament, and particularly to the late insurrections, may be proceeded against as the parliament in their judgment shall think fit."

The parliament vote against it. Phillips, p. 656. Whitelock. Lyellow.

The house, in a debate upon this petition, the next morning voted, "That to have any more general officers in the army than are already settled by the parliament, is needless, chargeable, and dangerous to the commonwealth; and that Fleetwood shall acquaint them with this resolve."

Fleetwood

t This vote was contrived and promoted by Hazerig, Nevil; &c. Whitelock, p. 84.

Fleetwood having communicated this vote to some officers at his own house, it was resolved, that the petition should not be insisted on, but, on the contrary, an address offered to the parliament, to profess an adherence to their authority against the common enemy, and that they would stand by them in the settlement of the commonwealth, against all oppositions whatsoever; and that this should be prepared and brought to be read, and considered by a general council of officers, to meet for that purpose, the 27th of September.

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Those who had the care of preparing the address, discharged their trust, in a manner little agreeable to the intention of the persons who ordered it, as will be seen presently. However, the address was approved in the general council of officers, by a majority of voices, and signed by two hundred and thirty officers, who were in and about London, but was not presented till the 5th of October. In this interval of seven or eight days, the officers sent a copy of the petition to general Monk for his concurrence, though they were resolved not to stay for his answer. On the other hand, the parliament took all possible measures to hinder its being presented, whether by satisfying the army in its arrears, or by sowing division amongst the officers, as they knew the address was not universally approved, the visible aim whereof was, to beget a breach between the army and the parliament. But all their endeavours were fruitless. The 5th of October, Desborough, with many other officers, went to the house to present the petition. It was introduced by a long preamble, in which it was pretended, That the intentions of the army were maliciously represented to the parliament by ill affected persons, to create division betwixt the parliament and the army; and that it was in justification of themselves, from such false accusations, that they presented this humble address, containing the four following assertions:

The great council of officers resolve to present another petition.  
Phillips, p. 656.

The parliament tries to prevent it.  
Id. p. 657.

" We do humbly and plainly declare,

" That notwithstanding what any persons may suggest, It is presented.  
" or say to the contrary, we are not for, but against the settling up any single person whatsoever in supreme authority: October 5.  
" and for a demonstration hereof we may appeal to your Phillips, p. 657.  
" own judgments, upon our late actings; wherein, since  
" our declaration of the sixth of May last, we have, with  
" all industry and faithfulness, endeavoured to render our-  
" selves serviceable to you and the commonwealth, and  
" have cheerfully observed your commands, some of us  
" with our lives in our hands in your late service: wherein

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“ to our great encouragement, the Lord hath once more  
 “ appeared to own you and your army, and the good old  
 “ cause, for which we have contended. And at the late re-  
 “ turn of this parliament to the discharge of their remain-  
 “ ing trust, we did with simplicity and plainness, in our  
 “ humble petition and address presented to you, manifest our  
 “ hearts and desires, and that with much unanimity and  
 “ fulness of consent, which we apprehend was well ac-  
 “ cepted by you.

“ 2. That we have not since changed our principles lead-  
 “ ing to a well regulated commonwealth, wherein the li-  
 “ berties of the people thereof, both spiritual and civil, may  
 “ be fully secured, and persons of known integrity, piety,  
 “ and ability, employed in places of trust and concernment;  
 “ but resolve, by the assistance of God, to remain constant  
 “ to them: and make it our humble prayer to God, that he  
 “ would incline your hearts effectually to prosecute the  
 “ same, and make you instrumental in bringing forth such a  
 “ foundation of government, whereby all the good people  
 “ of these nations may rationally expect, that such liberties  
 “ and rights shall be preserved to them and their posterities.  
 “ And we can truly say, that it is in our hearts earnestly to  
 “ desire that God would crown you with the honour of  
 “ making these nations happy, by such a settlement as may  
 “ not be liable to every change of governors, and to have  
 “ the peace thereof disturbed by introducing new govern-  
 “ ments.

“ 3 Whereas a petition and proposals were lately drawn  
 “ up by the officers of the brigade, that (under the com-  
 “ mand of major-general Lambert) hazarded themselves in  
 “ your service with good success, whereby, through the  
 “ blessing of God upon them, and others of your faithful  
 “ friends and servants, the peace of this commonwealth is  
 “ still continued: and the said petition was sent up to some  
 “ officers here, to be presented to the Lord Fleetwood;  
 “ which had been by some interpreted to evil and sinister  
 “ ends, and from thence suggestions derived, as if they were  
 “ intentions to violate the parliament, to set up a single  
 “ person, or another general: in order thereunto, we do  
 “ sincerely profess (whatever the design of any persons  
 “ may be to promote such causeless jealousies) we have  
 “ had no other than faithfulness and candour in our hearts  
 “ and actions towards the parliament; nor do we appre-  
 “ hend (with submission we may speak it) any reason or  
 “ cause of offence to be conceived against your faithful  
 “ servants,

“ servants, who lately gave so ample proof of their fidelity and courage.

“ 4. We cannot but esteem our selves unhappy to have been so misrepresented to the parliament, as should occasion such a publick admonition upon record: and considering what evil use may be made of these things by the publick enemy, and to the end they may be disappointed of their hopes, and all such persons discouraged, as shall go about for the future to promote jealousies, or by misinformation, to beget divisions betwixt the parliament and their faithful servants the army: and that a good understanding may be preserved between them, we humbly pray:

“ That the officers of the army, and particularly those who have reason to bear the marks of your favour for their faithfulness in the late northern expedition, may stand right in your opinion, and have your countenance.

“ 2. That whatsoever person or persons shall for the future groundlessly and causelessly, inform the house against your servants, thereby creating jealousies, and scandalous imputations upon them, may be brought to examination, justice, and condign punishment.

“ 3. That it being an undoubted right of the people to have a liberty, in a peaceable and submissive way, to petition the supreme authority, which liberty hath been by yourselves asserted, allowed, and approved of; we cannot but also assert the said liberty, and humbly conceive, that your faithful servants of the army, have no ways forfeited their rights as freemen, and that therefore they hope it will be no offence for them to submit their humble desires to the parliament.

“ 4. That you would be pleased to take into your serious consideration, the necessitous condition of the poor soldiers of your armies, and that all possible care may be taken for their timely supply, their wants being such as earnestly call for it: and that some speedy and effectual course may be taken to provide for the maimed soldiers, and the poor widows and orphans of such as have been slain in your service, that the blessing of God may be upon you.

“ 5. That such who have freely offered themselves in the several counties and cities of these nations, to own and stand by you and your cause in the late insurrections, with the hazard of all which is dear unto them, may

“ have

1659. " have your encouragement, and be employed in places of trust and command.

" 6. That it being a thing granted by all, that without due execution of martial discipline, the peace, union, and good government of an army cannot be preserved; the discipline of the army may be preserved inviolable, and in particular, that no officer or soldier of the army may be cashiered, or dismissed from their places, without a due proceeding at a court martial, or by his own consent, except in cases of reducement or disbanding.

" 7. That it being judged necessary by the parliament, for the keeping of the army under such a conduct, as may render the same serviceable to the commonwealth, to appoint a committee of nominations, for the proposing of officers to the parliament, for their approbation; we humbly pray, that no officers may be brought into the army, but such as shall first come under the consideration of the said committee, and be by them presented.

" 8. The office of the commander in chief of the army, being of so great concernment to the peace of this commonwealth, and his commission at present (as we conceive) expiring within a few months, we humbly pray, that the consideration of that matter may come before you, and some such effectual course be taken therein, as may prevent our fears, and the hazard of leaving the army to confusion.

" 9. And that you would retain a good opinion of your army, and, against all discouragement whatsoever, proceed in the carrying on of that good work intrusted in your hands, for the glory of God, and advantage of these nations. In the prosecution whereof, through the help of our God, we shall be found (notwithstanding all endeavours to the contrary) faithful to you and this commonwealth."

The parliament offended, yet returns a mild answer.  
Phillips,  
p. 659.

How respectful soever the terms of this address might be, the parliament were not pleased with the contents, as it seemed to teach them their duty, or rather to reproach them for neglecting it. They had forgot, that this was the language of the army to the presbyterian parliament, in support of the independent party, and how grateful it had been to them. It was manifest, the officers sought an occasion of quarrel, and the parliament was but too sensible of it. But they had no support against the army, and the hopes of division amongst the officers, because many opposed the presenting

sending the address, was their only resource. For this reason, after some members had warmly inveighed against the insolence of the officers, the house, however, returned a moderate answer, to gain time, and keep them in temper, whom they were unable to resist. The officers therefore, who had delivered the address, were called in and thanked by the speaker, for their affection and faithfulness to the parliament; to which he added, that the parliament had already taken into consideration the relief of the maimed soldiers, orphans, and widows; and had also settled a way for satisfaction of the arrears due to the army, and would endeavour to bring the same to speedy effect. 1659.

Desborough brought the answer to the general council of officers, who assembled that day. But as they were informed of the speeches against them in the house, it was suspected, that the parliament intended only to gain time, to strengthen themselves, or to change the constitution of the army. Wherefore, they resolved to cause their address to be signed by all the regiments in England, Scotland, and Ireland, and to write to them on that subject, which was done the same day. The officers distrustful of the parliament. Ibid.

Two days after, the parliament receiving a letter from Monk, with assurances of his entire obedience, returned him a gracious answer, letting him know the high esteem they had of his services, with a promise to revoke all the orders which might have given him any cause of disgust. Monk writes submissively to the parliament. Skinner. The parliament and officers thought it of great importance to gain Monk to their interest. The parliament's hopes of that general's good disposition towards them, gave them a little more firmness than they had at first shown. So, in their debates upon the proposals of the officers, a particular answer was returned to each article, and the officers given to understand, that their complaints were causeless, and the parliament neither obliged nor pleased to give them an account of their conduct. The parliament returns a haughty answer to the address from the officers. October 10. Phillips, p. 659. Lambert comes to London, and draws his forces thither. This answer convinced the officers, that things were come to that point, that they were either to submit to the parliament, or endeavour a dissolution. But they could not resolve to submit, without trying first to render themselves superior. To that end, Lambert marched his brigade towards London, and appeared there himself to support his friends. Clarendon, III. p. 542. The parliament makes an act injurious to the army. The parliament on their side, seeing a breach with the army was not very remote, hastily passed an act, to declare it high treason to levy money upon the people without the consent of parliament. Phillips, did p. 660. Herein their aim was to hinder the army's subsistence. They

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Cashiers  
several of  
his officers  
and vacates  
Fleetwood's  
commission  
Phillips.  
Whitelock.  
Clarendon,  
III. p. 542.  
R. Coke.  
Ludlow,  
t. II. p. 722.  
Lambert  
assembles  
the army.  
Two regi-  
ments or-  
dered to  
Westminster  
by the coun-  
cil of state  
for security  
of the par-  
liament.  
R. Coke.  
Lambert  
hinders the  
speaker from  
going to  
the house.  
Clarendon,  
III. p. 543.  
The mem-  
bers not  
suffered  
to assemble.  
Ludlow,  
t. II. p. 723.  
— 726.  
The parlia-  
ment's  
guard retires.  
A guard  
placed by  
Fleetwood  
at the door  
of the par-  
liament-  
house,

did still more: For Monk the clergyman being arrived from Scotland, with assurances from his brother the general of his supporting the parliament, and marching to their assistance, if required, Lambert, Desborough, and some other principal officers, who had signed the address, were displaced by the parliament. Then they annulled Fleetwood's commission, and named commissioners<sup>a</sup> for the government of the army, from the 11th of October to the 22d of February. But these proceedings not being supported with power, the officers received the parliament's orders with scorn.

Mean time, the council of state, being informed that Lambert was assembling the army, ordered two regiments to Westminster, to guard the parliament, whose colonels and officers were devoted to them, and had refused to sign the address. This did not prevent Lambert from executing his design. Having drawn some regiments into London, on the 13th of October he secured all the avenues, to the parliament<sup>w</sup>. Presently after, the speaker appearing in his coach, as he was going to the house, was stopped by Lambert, and forced to return. Then he sent to the colonels of the two regiments in Palace-yard, to retire to their quarters, which they refusing to do, he smiled and bid them stay there as long as they pleased. But at the same time, he took care to stop all the members who were going to the house, and hinder them from entering<sup>x</sup>. So the parliament, as well for want of a sufficient number of members, as for the absence of the speaker, not being able to sit that day, the two regiments placed at Westminster to secure them from violence retired, after having remained there till night. They were no sooner gone, than Fleetwood seized the posts, and placed a strong guard at the door of the parliament-house, to hinder the members from assembling. Next day the discontented officers cashiered, by their own authority, those of the two regiments appointed to guard the parliament, and sent others to fill their places,

<sup>a</sup> Fleetwood, Monk, Hasterig, Walton, Morley, Overton, and Ludlow. Ludlow, tom. II. p. 722.

<sup>w</sup> Whitelock says, Evelyn who commanded the life guard of the parliament, marching forth with his troop, was met by Lambert at Scotland yard gate, who commanded him to dismount, which he thought safest to do, though at the head of his troop, and though

Lambert was alone, and on foot. The troop also obeyed Lambert, which he placed along King-street, and stopped the speaker. Memb. p. 685.

<sup>x</sup> Sir Peter Wentworth alone, being rowed by some able watermen, broke through the guard on the river, and got into the house. Ludlow, tom. II. p. 725.

places. The soldiers obeyed the new officers, and abandoned the old. 1659.

This anarchy lasted ten days, before the officers now grown superior, thought of settling any form of government. All they did, was to nominate ten of their own body to form a council, to take care of the most urgent affairs. Then they declared Fleetwood their general, Lambert their lieutenant-general, and Desborough commissary general of the horse. They established likewise a council of seven to nominate such officers as were not suspected, with orders to exclude those, in whom they could not confide. Mean while a discipline so exact was observed by the troops, that it was wonderful to see soldiers so submissive to their officers, and so inoffensive to the people during such an anarchy. As the officers were still uneasy about Monk, whom they suspected, because he was not of their principles, and besides, was an enemy to Lambert, colonel Cobbet was sent to try to gain him to their party, with secret orders, in case he could not succeed, to endeavour to corrupt his troops, and, if possible, put him under an arrest. Clarges gave Monk intelligence of Cobbet's secret commission.

An anarchy of a few days. 1659. The officers form a council of ten. Elect their own generals. Whitelock.

The exact discipline of the army. Colonel Cobbet sent to Monk by the officers. Skinner. Clarendon, III. p. 545.

During these transactions in England, the king was in his journey to Fontarabia, where he arrived but very little time before the treaty between the two crowns was concluded, having by mistake proceeded to Saragossa, where he had no business, while the two ministers of France and Spain finished their treaty. But in all likelihood, he would have received no advantage from that treaty, though he had arrived at the beginning. Nay, it is difficult to conceive, what advantages he proposed to himself from this journey, nor has the earl of Clarendon thought fit to inform his readers. Don Lewis de Haro, prime minister of Spain, received him very civilly, and expressed a sense of his unhappy condition, by making him a present of seven thousand pistoles. But cardinal Mazarin, for fear of rendering himself suspected to the parliament, would not so much as see him.

The king's success at Fontarabia. Id. p. 537.

This mistake arose not from the ignorance of the way leading to Fontarabia, but from a mistake in the king's intelligence. That the treaty between the two crowns was finished, whilst it was actually in negotiation. In the first case, the king had no business

at Fontarabia, and therefore curiosity, and perhaps some better view, determined him to go to Madrid. When his mistake was removed, he turned back, and pursued his first intended journey, to Fontarabia. See Clarendon, t. III, p. 537.

1659. him. So the king left Fontarabia, in order for Brussels, where he arrived the latter end of December.

The army erect a committee of safety for the administration of the government. October 26. Phillips, p. 662. Ludlow. Whitelock, p. 685. Its power.

The declaration of the council of officers.

State of Monk's affairs in Scotland. R. Coke, p. 82. Burnet, p. 61.

MEAN time, the great council of officers held frequent assemblies in London, to endeavour at some settlement of the government, which could not be in greater confusion than at present. At last, on the 26th of October, thirteen days after the dispersion of the parliament, they agreed to establish a committee of safety<sup>2</sup>, and put the government into their hands. Sir Henry Vane, who, since the last change, had come into the measures of the army, was of this committee, with Fleetwood, Lambert, Desborough, Ludlow, &c. The great council of officers as sole sovereign then of the three kingdoms, authorized this committee to execute all the powers of the late council of state, with authority to punish delinquents concerned in the late conspiracy: to give indemnity to all who had acted for the commonwealth since the year 1649: to oppose and suppress all rebellions and insurrections: to dispose of all places of trust that were void, and remove such as were scandalous: to treat with foreign states: to raise the militia: and lastly, to make sale and composition for the estates of delinquents. At the same time, a declaration was published, to annul the acts or orders of the parliament, of the 10th, 11th, and 12th of October. In this paper the officers declared, that they had no design to erect a military government, but had already lodged the executive part in a committee of safety, who were to prepare such a form of government as might best comport with a free state and commonwealth, without a single person, kingship, or house of lords. This declaration ended with some scriptural expressions, adapted to the taste and practice of the godly party.

While the officers ruled in England, Monk was greatly embarrassed in Scotland. He was indeed at the head of the government, and of twelve thousand men, most of whom he could rely on, though many of the officers were fanatics, or inclined to be so, and consequently justly suspected by him. But this army was supported by money regularly paid from England, Scotland being unable to maintain them. Monk had thereby been able to keep the army under strict discipline, and to procure Scotland a tranquillity,

<sup>2</sup> Consisting of twenty three persons. Whitelock (who was one) says, he was not desirous of that employ-

ment, at such a time as this. Mem. p. 68g.

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tranquillity, to which she had long been a stranger, though the clergy were dissatisfied with the liberty of conscience granted to all except catholicks and prelatists. But forts erected by Monk in several parts of the kingdom, and well garrisoned by him, prevented all insurrections. The changes in England since Cromwell's death disturbed Monk's peaceable state in Scotland. For though he was equally careful by the army and parliament, because they either wanted or feared him, he perceived that on which side soever the advantage should turn, he was to be the victim. He had already experienced it in the parliament's endeavours to undermine his credit, and could not doubt, if that parliament had subsisted, he should have been, by one means or other, displaced, because he was feared. On the other hand, his hopes were no better from the army, which was properly commanded by Lambert, under the name of Fleetwood. Lambert considered Monk as a formidable rival, who would never suffer him to execute his designs, if it was in his power to prevent him<sup>a</sup>. Monk, for his part, would never have been willing to submit to Lambert. He was nevertheless under an absolute necessity of taking one of the two courses. A neutrality would have exposed him to the danger of being sacrificed by both, if they should be reconciled, which was not impossible. Besides, on such occasions, the victorious party never thinks any great regard due to those who have stood neutral. In fine, a neutrality would have entirely deprived him of the supplies received from England for the subsistence of his army. He therefore determined to side with the parliament, and without any evasion sent his resolution to Fleetwood. For this purpose, he prepared for a speedy march into England with the best part of his army.

Resolves to  
march into  
England.

When this resolution is considered, it is difficult to believe, that Monk could take it, without being influenced by other motives than what appear at first sight. First, he had no cause to be pleased with this parliament, nor is it seen what interest, either publick or private, he could have, to restore a parliament generally hated, and which had been always distrustful of him. Secondly, Monk had joined with

Motives  
of this  
resolution,

<sup>a</sup> In order to weaken Monk, the parliament sent him an order, when Lambert was marching against Booth, to send Lambert two regiments of foot, and two of horse; but he excused himself, under colour of the enemy's

strength, and inclination to revolt; though some then thought, that his engagements with Charles II. were the true reasons of his refusal. Ludlow, tom. II: p. 691.

1659. with the republicans only to free himself from confinement. Thirdly, though he had twelve thousand men, he could, at most, take with him but half, unless he would give the Scots opportunity to shake off the English yoke. How therefore could he venture to go with five or six thousand men, to encounter an army stronger than his own? Lastly, the people of England hitherto had declared for neither parliament nor army, but equally hated both. Monk therefore could not expect the people's assistance, to restore a parliament which had ever held them in servitude. This was not, at least, the interest of the royalists or presbyterians, who properly were the body of the nation, there being but very few who were really attached to the parliament or the army, though fear compelled them to obedience. And, by the way, the small interest which the parliament had in the boroughs and counties, was the true reason they never filled the vacant seats, because they could not be assured that such members would be chosen as they desired. These are the considerations which naturally create a belief, that Monk, when he resolved to march into England, under colour of re-establishing the parliament, secretly intended to serve and restore the king. This is almost universally agreed. But it is not equally clear what was his plan, or his means to accomplish such a design. If the royalist authors are to be credited, he marched into England with only five thousand men; and the terror of that army, joined to the wishes of the nation, and Monk's prudent conduct, produced this happy restoration. All this is true, but it is not the whole of the truth, party interest having obliged the historians to conceal, or speak confusedly of some things. For my part, I shall give my opinion, and leave it to the judgment of the unprejudiced reader. I own, I cannot support it with the clear and undeniable testimony of the historians of those times. But I think, I can ground it upon something stronger than the testimony of the historians; I mean, upon the facts themselves, and general Monk's whole conduct. The reader will judge of it hereafter.

He designs to restore the king. Clarendon, III. p. 549. Skinner.

His plan in order to the king's restoration.

Since the presbyterians had been expelled from the parliament in 1548, they had been kept extremely low, because their number ever rendered them formidable to the independent parliament, and afterwards to Cromwell. They had never been able to recover their seats in parliament, a few only excepted, who had thrust themselves in by a dissimulation, which nevertheless, as appears in Ludlow's memoirs, could

could not deceive the independents. Sir William Waller, one of their generals, was not in condition to head an army, and Masley had espoused the king's cause. So, having no-  
 thing more to say in the parliament, and wanting a leader to head them, they had remained in subjection to the independent parliament, and afterwards to Cromwell, without any likelihood of reviving their humbled party. They had for enemies Cromwell, the army, the parliament, the royalists, and were in no places of trust which might give them credit. We have already seen, that being weary of this situation, they had discovered an inclination to unite with the king's party, or at least shown that they should not be displeased with the good success of that party's design for an insurrection in several parts of the kingdom. The miscarriage of that undertaking was doubtless the reason, that the union was carried no farther. Nevertheless, Monk knowing how the presbyterians stood disposed, employed, in all likelihood, Clarges his confident, to make a secret agreement with some of their chiefs for restoring the king by their means. The scheme formed for that purpose, and which could not be executed without the presbyterians, was, as appears by the sequel, briefly this:

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Ludlow, t. II.

Monk engaged, no doubt, to march into England, and restore the rump parliament dispersed by the officers. This was the first step he was to take. The parliament being restored, Monk was to join with the city of London, wholly presbyterian, and demand that the members expelled in 1648, might resume their seats, or, if the rump refused to admit them, to introduce them by force. These restored members could not but, by their number, have a great majority in the house, and compose properly a presbyterian parliament. It was agreed, that this parliament should dissolve itself, after summoning another free parliament, composed, agreeably to the antient constitution, of a house of lords and a house of commons. The new parliament must naturally consist of royalists and presbyterians (the independents having too little credit to carry any elections) and was to restore the king, to which the presbyterians should consent. In all likelihood these stipulated some conditions, the particulars whereof are not known. It cannot however be doubted, that these were conditions, since, after the restoration of Charles II. they complained bitterly of breach of promise. This also appears in that, to vindicate Charles II. for not keeping his word with the presbyterians, it is pretended, it was not in his power to dispense with the laws, and consequently

The presbyterians contribute to the king's restoration.

1659. quently his promise was void. This was the scheme for restoring the king, which, as will hereafter be seen, was closely pursued. If, on some occasion, Monk seemed to swerve from it, 'twas because he believed dissimulation absolutely necessary, and that he could not discover his intention without danger of rendering the project abortive. It was to be done on a sudden, and under other pretences, before the enemies to royalty should have time to oppose it. Now he could not use more proper instruments than the presbyterians, who were little suspected of desiring the king's restoration. But the historians are very unwilling to allow the presbyterians any share in this unexpected event, though they are forced in some measure to follow, in their histories, the scheme I have explained. They are contented to insinuate, that the restoration was owing to the prayers of the people, as if the presbyterians had not been a considerable, and perhaps the major part of the people. This scheme being supposed, all difficulties will vanish, and Monk's proceedings appear natural, and consequences of it. But if it be supposed, that Monk restored the presbyterian members, expelled from the parliament in 1648, without any previous agreement, it can never be conceived, that he should think it necessary to restore a presbyterian parliament in order to place the king on the throne without any conditions.

The committee of safety send Clarges to Monk, to propose an accommodation. Clarendon, III. p. 546. Heath.

The first thing done by the committee of safety, lately established by the general council of officers, was to send Clarges to Monk, to bring him to some agreement. They were not ignorant of the error committed by the officers, in usurping the sovereign power, without the approbation of a general at the head of twelve thousand men, and would have gladly repaired it. But they could not chuse a worse messenger than Clarges, whose sole aim was to serve the king, and who, probably, had engaged Monk in the same design.

Monk prepares for his march. Skinner.

Mean while, Monk was preparing with all possible diligence for his expedition, though not without several obstacles. 1. His forces being dispersed through all Scotland required, at least, six weeks to draw them together. 2. Ready money was to be provided for their maintenance, because he could expect no more from England. For this purpose, the taxes were to be anticipated, and even extraordinary supplies obtained of the Scots. 3. In his troops were some officers, on whose fidelity he could not rely. 4. In short, it was absolutely necessary to his design, to have some towns on the frontiers of England, to facilitate his entrance, as he knew

knew that Lambert was marching to oppose him. All these 1659. difficulties were happily surmounted, except the first, because of the remoteness of his forces. As to the rest, he began with cashiering several of his suspected officers, and substituting others in their room. He kept those whom the parliament had displaced, and whose successors were not yet come. Then he summoned to Edinburgh the officers of the Phillips, nearest regiments, and communicating to them his design of marching into England, to restore the parliament, he had the satisfaction to meet with their concurrence. This done, he found means to secure Berwick, and arrest colonel Cobbet, who was there, and whose secret instructions were told him by Clatges. Cobbet was sent to Edinburgh, and there imprisoned. Monk also attempted to surprize Newcastle, but was disappointed. As to the money he wanted, he raised as much as was possible, and while his army was assembling, solicited the Scots for an extraordinary supply.

While Monk was making these preparations, Clarges his brother-in-law arrived in Scotland, with a proposal for a treaty with the committee of safety. It was resolved betwixt them to accept the proposal, not with design to conclude the treaty, but to gain time till Monk's army was ready<sup>b</sup>. Pursuant to this resolution, Monk, with the consent of his officers, made choice of colonel Wilks, lieutenant-colonel Cloberry, and major Knight to go and treat in his name with the committee, and sent them away with such instructions, as he thought would raise insurmountable obstacles to the conclusion of the treaty. These three commissioners met Lambert at York, who told them, he was sufficiently impowered to treat with them<sup>c</sup>. But to their demand for restoring the parliament, he answered, his power did not extend to that article, and so they were obliged to go on to London.

These commissioners, ignorant of Monk's secret intentions, were no sooner at London, than they made all possible haste

b He all along declared the independents, by his solemn protestations, and publick declarations of his firm resolution to adhere to the parliament and their cause, against a king, single person, or house of peers. Ludlow, tom. II. p. 747, &c.

c Monk's commissioners so far satisfied Lambert of the reality of Monk's intentions, that Lambert stoppt his

forces from marching further north-ward. When notice of this came to ratify it. Lambert, Whitelock was for ordering Nov. 14. Lambert to advance speedily with all Phillips, his forces, and attack Monk, before p. 670, 672. he should be better provided; believing, Clarendon, as he says, that Monk only fought de-lays. But his advice was not taken, Ludlow, Whitelock, p. 682.

Whitelock, Ludlow. Clarendon, III. p. 546.

Phillips, p. 664. Ludlow, t. II. p. 728. Skinner.

Clarges comes to him in Scotland, May 2.

Phillips, R. Colce. Monk and he agree to amuse the committee by a negotiation.

Commissioners sent to London for that purpose.

Clarendon, III. p. 546. Phillips, p. 667. Whitelock, p. 682. Ludlow.

A treaty concluded contrary to Monk's intention, who

refuses to ratify it. Nov. 14. Phillips, before p. 670, 672. Clarendon, III. p. 549. Ludlow, t. II. p. 752. Skinner.

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haste to conclude with the committee of safety, and the rather, because every thing which they proposed was accepted. So, the treaty was concluded and signed the 15th of November, to the great dissatisfaction of Monk, whose aim was to prolong it, and then break off the negotiation. It would be needless to insert the treaty, because it was never executed. I shall only observe, that by the first article, a vigorous opposition to the king's restoration was agreed to by both parties. Monk, upon receiving the treaty, sought evasions to hinder the ratifications, pretending, his commissioners had acted contrary to their instructions, and thereby he became still more suspected by the committee of safety.

The members of parliament busy to restore themselves. Whitelock.

While monk was preparing to march into England, the members of the late parliament were not idle. They were ardently endeavouring to re-establish themselves, and wrest from the officers their usurped authority, but without the least thought of restoring the king. They believed, or pretended to believe, that Monk had no other view than the restitution of the parliament, and, in this belief, considered Monk's friends as their own. This was true in general, though some there were of Monk's adherents in London, better informed than the rest, who knew what they were to believe. Be this as it will, all the friends of the rump united to support Monk's designs, imagining, his sole intention was to restore the parliament. For that reason, the members who had formed the council of state, before the interruption of the parliament, being privately assembled, sent to Monk a commission, constituting him general of the armies of England Scotland, and Ireland.

Nov. 24.  
Phillips,  
p. 673.

The governor of Portsmouth declares for the parliament.

Id. p. 674.  
R. Coke.

Whitelock. The town is blocked up, and the soldiers desert.

Clarendon, III. p. 550. Vice-admiral Lawson does the same.

Id. p. 551. Whitelock.

On the other hand, colonel Whetham governor of Portsmouth, Monk's particular friend, declared for the parliament, and received into his garrison Haslerig, Walton, and Morley, three members of parliament, the most incensed against the army. The committee of safety, upon the first notice of this defection, sent a detachment of the army to block up Portsmouth, but the soldiers deserted their officers, declared for the parliament, and were received into Portsmouth as friends. Another detachment sent from the army on the same errand, did almost the same thing, so that the committee knew not on whom to rely. At the same time, Lawson, vice admiral declared for the parliament against the army, and entered the Thames with several of his ships, to awe the adherents of the committee. Lambert, who commanded a body of the army in the north, being informed

of

of the ill situation of the committee's affairs, detached Desborough's regiment to the assistance of his friends in London, but that regiment, at St. Albans, declared for the parliament.

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And a regiment sent from Lambert.

Mean while, the committee of safety seeing all this opposition, seemed to be discouraged. They took no measures for their own preservation, and instead of assembling the army, suffered it to be dispersed into quarters. It is likely, they feared to see the army together, since the soldiers of the two detachments sent to Portsmouth had deserted their officers. Mean while, Hailesrig, Walton, and Morley, finding themselves sufficiently strengthened by the soldiers of the army, which had retired to Portsmouth, marched at the head of these troops, towards London. Then it was that Fleetwood, and the rest of the committee of safety, were in the utmost perplexity. They durst not trust their own soldiers, and knew not what course to take. Whitlock, as appears in his memorials, advised Fleetwood either to head the army, or agree with the king<sup>4</sup>. He seemed to approve of this last course, but presently after altered his mind, and did neither. At last, his colleagues and himself wanting capacity and resolution to extricate themselves out of such an emergency, consented to the meeting of the parliament, and voluntarily resigned their usurped authority. They had no sooner given their consent, than they were entirely abandoned by their whole party.

Committee of safety consents to restore the parliament, Phillipps, p. 670. R. Coke, p. 694.

THUS the parliament met peaceably the 26th of December, and named a committee to govern the army in their name, and under their direction. Then they dispatched express orders to Lambert to disperse his forces, and send them into the quarters assigned by the same order. But Lambert's troops hearing the parliament was restored, had in some measure prevented this order, and put their general under arrest, who was sent prisoner to the Tower of London. At the same time sir Henry Vane, and some other members of parliament, who had taken part with the army, were confined to their own houses. Thus, by a revolution,

The rump restored, who meets the 26th of December. Lambert put under an arrest by his own troops, Clarendon, III. p. 554. Vane put under arrest. Whitlock, p. 692.

<sup>4</sup> And thereby be beforehand with Monk; by which means he might make terms with the king for the preservation of himself, his friends, and his cause; but if it were left to Monk, say, and all that had been done, would be left to the danger of destruc-

tion. Hereupon they two agreed, that Whitlock should immediately go to the king; but Vane, Desborough, and Berry, coming to Fleetwood in the mean time, made him alter his resolution. Whitlock. p. 692.

1659. lution little expected, the first and most difficult part of Monk's undertaking, namely, the restitution of the parliament, was executed even before he left Scotland, and without having any other share in it, than his resolution to march into England<sup>e</sup>.

The king's affairs believed to be desperate. Clarendon, III. p. 553.

A conjecture upon this subject. Ibid. p. 553.

Whitelock, p. 682. Clarendon, III. p. 549.

Monk procures a supply of money from the Scots. R. Coke, p. 87. Heath.

Mean while, this revolution seemed entirely to destroy the hopes of the king, since a parliament was restored so opposite to him. He was believed to be irrecoverably lost. France and Spain began to think of making a firm and lasting alliance with the parliament, whereby the king would not have known where to retire for a subsistence. But though he himself feigned to be extremely afflicted, not to discover his secret, very probably he was informed of Monk's intentions, and of the manner in which they were to be executed. For though the earl of Clarendon affirms, the king had only a very faint hope of being served by Monk, in order to provide for his own security, yet I cannot believe, that Monk, however reserved he might be to others, concealed his intentions from the king, since there was no danger in the discovery<sup>f</sup>.

Be this as it will, Monk, before he left Scotland, by circular letters, assembled at Edinburgh two commissioners from every shire, and one from each burrough, and communicated to them his intention to march into England, to rescue the parliament from the force put upon them by the army, and restore them to their authority. These commissioners, who made a sort of convention of estates, though the union of the two kingdoms denied them the name, offered Monk to increase his army with twenty thousand men of their nation, and granted him thirty thousand pounds above the assessments to enable him to maintain them. He accepted the money, but refused the troops, believing he wanted them not. Some Scotch writers affirm, that in dismissing this assembly, he recommended to them, to take all possible care to preserve the peace and tranquillity of the kingdom, and desired them to abjure the king, and royal family. But Gumble, who was his chaplain, and writ his life, positively denies it. Thus much is certain, it was absolutely necessary for him; carefully to conceal his intention to serve the king, and his fear  
of

<sup>e</sup> This year, on October 31, died John Bradshaw, president of the court that condemned king Charles I.

<sup>f</sup> Monk placed no confidence in Hyde, and when he sent the assurance of his service to the king by sir John

Greenvil, it was with this proviso, that Hyde should not be let into the secret. So says Bevil Higgens, who had it from his own mother, sister to sir John Greenvil.

of betraying this secret, made him, on some occasions, carry his dissimulation to excess. He was, however, extremely suspected by those, who would not hear of the king's restoration. These men were very numerous, not to mention the army, which assuredly had no such intention, though, unknown to them, their march was designed for that purpose alone.

Monk entered England with his army the 2d of January 1659-60, and consequently might now be informed of the rump's re-establishment. Some days after he received a letter from the speaker, acquainting him with the late transactions, thanking him, in the name of the parliament, for his kind intentions, and insinuating, that if he thought it proper, he might save himself the trouble of coming to London, since the parliament was in peaceable possession of their authority. But this letter did not interrupt his march. If it be considered, that the pretence he had hitherto alledged for his expedition into England, was the restitution of the parliament; and that he continued his march, though the parliament was restored, it will be easy to perceive, that he had quite another motive than what was at first alledged. This pretence failing him, he was obliged to find another, and that was, to assist the parliament, to reduce the army to obedience and submission. On his arrival at York, he found the lord Fairfax, formerly general to the parliament, at the head of some troops of that county, and in possession of the city, in order to hinder the committee of safety from being masters of it. The lord Fairfax received Monk into York without any difficulty, and they had many conferences together. Fairfax was a presbyterian, though Cromwell had made him subservient to the rise of the independents. So, it would be hard to conceive what interest he could have in countenancing Monk's designs, if the presbyterian party had not secretly agreed to concur in the king's restoration.

Whatever dissimulation Monk had used, in pretending that he had no other view than to restore the rump, the members of that parliament were too wise not to perceive, he had some other hidden design. But they hesitated between two opinions, in appearance equally probable, namely, that he intended either to advance himself in imitation of Cromwell, or to restore the king. For this reason, the rump, a few days after their meeting, appointed A COUNCIL OF STATE, consisting of twenty eight members, of whom

1659.

Armies in England.

January 2.

Clarendon,

III. p. 549.

Phillips,

p. 677.

Receives a

letter from

the parlia-

ment to stop

his journey,

but pays no

regard to it.

Ibid.

Is received

into York

by the lord

Fairfax.

January 11.

Clarendon.

III. p. 552.

Phillips,

p. 678.

Burnet.

The parlia-

ment sus-

pects him.

Forms a

council of

state.

Phillips,

p. 679.

1659-60. whom Monk was one, and ordered each counsellor to take the following oath :

And imposes an oath upon the members. *Ibid.* Whitelock, p. 683.

“ I do hereby swear that I do renounce the pretended title of CHARLES STEUART, and the whole line of the late king James, and of every other person as a single person, pretending, or which shall pretend to the crown or government of these nations of England, Scotland, and Ireland, or any of them, and the dominions and territories belonging to them, or any of them; and that I will, by the grace and assistance of Almighty God, be true, faithful and constant to the parliament and commonwealth, and will oppose the bringing in, or setting up any single person or house of lords, and every of them in this commonwealth.”

Sends two commissioners to be spies upon him. *Phillips*, p. 678. *R. Coke*. Skinner. Ludlow, t. II. p. 812. Monk receives an address from London for the restitution of the secluded members. *Clarendon*, III. p. 555. *Phillips*, p. 681. And others of the like nature. *Whitelock*. Reflections upon this occasion.

This precaution however did not remove the fears of the parliament with regard to Monk, who daily became more suspected, notwithstanding all his care to conceal his intentions. It was therefore resolved to send two of their members to him, under the pretence of doing him honour, but in reality, to observe his proceedings. Scot and Robinson were named, who found him at Leicester the 22d of January<sup>a</sup>. In this town<sup>b</sup> he received also commissioners from London, with an address, to desire the re-admission of the members secluded in the year 1648. Scot, one of the commissioners from the parliament, interrupted the London commissioner who was reading the address, and commanded him silence, looking upon this proposal as tending directly to the destruction of the republican parliament. Nevertheless, Monk received the address. As he continued his march, he received many such, so that it seemed to be the general sense of the nation, that the presbyterians should resume the reins of the government. Let us reflect here a little on this extraordinary change.

It cannot be denied, that the secluded members in 1648 were presbyterians, who had, on all occasions, shewn an extreme animosity against the king and the church of England. If they had testified a desire to restore the late king by the treaty of Newport, this was owing to conditions, which he looked upon as intolerable, and which necessity alone compelled him to grant. Nay, the parliament could not

<sup>a</sup> All the way from Leicester to St. Albans, they lodged in the same house with him, and when they withdrew to their own apartment, they always found or made some hole in the door or wall,

to look or listen. *Skinner*, p. 197.

<sup>b</sup> It was at Harborough, January 23. See *Skinner*, p. 195. and *Phillips*, p. 681.

not resolve to allow some restrictions desired by the king to 1659-60. their demands. If they voted that the king's concessions might serve for foundation to a peace, it was at a time when the army was now in London, ready to execute the violence which was acted the next day. The presbyterians therefore cannot be considered as having been at any time favourable to Charles I. Since the 6th of December 1648, they had been kept very low, having constantly had for enemies the royalists, parliament, protector, and army, so that they were without any power. And yet, during Monk's march, this party not only revives, but even becomes superior to all the rest, and the whole nation seems to conspire to restore them the supreme authority, in demanding the readmission of the secluded members in 1648. What could be the motive of so great a number of addresses on this account, presented to Monk in his march? And why did Monk receive them so favourably? Certainly, when he left Scotland, his intention, however concealed, was to labour the king's restoration<sup>1</sup>. But if the presbyterians had not engaged to favour this restoration, the raising their party, and putting them in possession of the government, would have been a very unlikely means to accomplish it. All that Monk could thereby have gained, was, the king's restoration on the same terms which his father had granted in the treaty of Newport, which, doubtless, was very far from his intention. Let us <sup>Burnet,</sup> therefore conclude, that all these addresses were an effect, or <sup>P. 85.</sup> consequence of a secret agreement between the royalists and presbyterians, whereby these had consented to the king's restoration, on conditions relating to their religion alone, without insisting, as they had before constantly done, on any terms concerning the government. Without this supposition, the steps, afterwards taken for the king's restoration, can never be conceived, and with it, all the proceedings are natural.

This agreement was a secret which was carefully to be <sup>Monk's dis-</sup>concealed, lest its discovery should produce an accommo-<sup>simulation,</sup> dation between the parliament and the army, in which case Monk, who had but five thousand men, would have been little able to execute his designs. Wherefore, though he received all the addresses, he was very careful not to express the least signs of approbation, but contented himself

L 3

with

<sup>1</sup> Bishop Burnet more reasonably supposes, that Monk had no settled design any way, but resolved to do as occasion should be offered to him, p. 84.

1659-60. with a general answer, that they should be laid before the parliament<sup>k</sup>.

The reason  
of it.  
Skinner.  
Phillips,  
p. 679.

Monk, as I said, had but five thousand men<sup>l</sup>. With this army it was not possible to withstand the other, which was three times as numerous, and of which several regiments were now in London. If the parliament and army could have united together, they would, doubtless, have rendered all Monk's projects impracticable. But the parliament was still more jealous of their own army than of Monk. They only suspected that general of having secret designs, without knowing exactly wherein they consisted. But that the general officers of the army would become masters, if their assistance was necessary, could not be doubted. It was Monk's interest therefore to foment this division, and he could not more successfully do it, than by professing an entire devotion to the parliament. He thereby removed from the parliament all thoughts of an union with the army, which appeared unnecessary, while Monk's fidelity could be relied on. This was the true reason of Monk's extreme dissimulation, and of his pretending on all occasions, that his march to London was only to serve and obey the parliament.

Demands  
that the  
forces in  
London  
withdraw, to  
make room  
for him.  
Clarendon,  
III. p. 555.  
Phillips,  
p. 680.  
R. Coke,  
Skinner.  
His demand  
granted.

When he came to St. Albans, within twenty miles of London, he writ to the parliament, to desire that the regiments in the city, might be sent to more distant quarters, it not being convenient, that troops, which had so lately been in rebellion, should mix with those which were entirely devoted to the parliament, and come to offer their service. With this letter he sent the manner in which his soldiers might be lodged in London, and the quarters that might be assigned to the regiments which were to be removed. Though this demand was suspected by many members to have some mystery in it, it was however granted by a majority of voices, and the regiments in the city were ordered to remove. This shows, either that Fleetwood and Desborough were no great politicians, if they did not see that Monk's demand tended to

<sup>k</sup> He kept himself under such a reserve, that he declared all the while in the most solemn manner for a commonwealth; and against a single person, in particular against the king. See Ludlow, tom. II. p. 811. The same day he entered London, Ludlow visiting him, he told Ludlow, "That he was fully resolved to promote the interest of a commonwealth." Ad-

ding, "We must live and die for and by a commonwealth." Idem. p. 820.

<sup>l</sup> Dr. Skinner says, his army, upon a review at Highgate, amounted to five thousand eight hundred men (p. 227.) namely, four thousand foot, and eight hundred horse. The parliament's regiments in London consisted of two thousand horse, and eight thousand foot. Phillips, p. 679.

to make himself master of the city and parliament, or that they believed they had not a sufficient influence over their inferior officers, to venture to oppose it. It seems, they could resolve nothing without Lambert, who was now prisoner in the Tower.

However this be, Monk artfully improving the division between the parliament and the army, entered London, in triumph, the 3d of February 1659-60. After he had given orders for quartering his troops, he repaired to the council of state, who immediately tendered him the abjuration oath, which all the members were obliged to take. But he asked time to resolve, saying, he had been informed that strong objections had been made to this oath, even in the parliament itself. Upon this refusal he was denied admittance into the council of state, till he had taken the oath, and was obliged to withdraw.

The 6th of February he went to the parliament, where by the mouth of the speaker, he received the compliments and thanks of the house; to which he returned the following answer:

Mr. Speaker,

" Amongst the many mercies of God to these poor nations, your peaceable restitution is not the least. It is (as you said) his work alone, and to him belongs the glory of it; and I esteem it as a great effect of his goodness to me, that he was pleased to make me, amongst many worthier in your service, some way instrumental in it. I did nothing but my duty, and deserve not to receive so great an honour and respect as you are pleased to give me at this time and place, which I shall ever acknowledge as a high mark of your favour to me.

" Sir, I shall not now trouble you with large narratives, only give me leave to acquaint you, that as I marched from Scotland hither, I observed the people in most counties in great and earnest expectations of a settlement, and several applications were made to me, with numerous subscriptions to them. The chiefest heads of their desires were for a free and a full parliament, and that you would determine your sitting; a gospel ministry; encouragement of learning and universities; and for admittance of the members secluded before the year 1648, without any previous oath or engagement. To which I commonly answered, that you are now in a free parliament; and if

Monk entered London. February 3. Phillips, p. 682. Skinner. Ludlow. Refuses the abjuration oath. bit.  
Complimented by the speaker of the house of commons. Clarendon, III. p. 556. Phillips, p. 682. Ludlow. Skinner. Whitelock.

1659-60. " there be any force remaining upon you, I would endeavour to remove it; and that you had voted to fill up your house, and then you would be a full parliament also; and that you had already determined your sitting: and for the ministry, their maintenance, the laws, and universities, you had largely declared concerning them in your last declaration; and I was confident you would adhere to it; but as for those gentlemen secluded in the year 1648, I told them you had given judgment in it, and all people ought to acquiesce in that judgment; but to admit any members to sit in parliament without a previous oath or engagement, to preserve the government in being, it was never done in England.

" But although I said it not to them, I must say, with pardon, to you, that the less oaths and engagements are imposed (with respect had to the security of the common cause) your settlement will be the sooner attained to. I am the more particular in these matters to let you see how grateful your present consultations about these things will be to the people. I know all the sober gentry will close with you, if they may be tenderly and gently used; and I am sure you will so use them, as knowing it to be the common concern, to amplify, and not to lessen our interest, and to be careful that neither the cavalier, nor fanatic party have yet a share in your civil or military power, of the last of whose impatience to government, you have lately had so severe experience. I shall say something of Ireland and Scotland; indeed Ireland is in an unsettled condition, and made worse by your interruptions, which prevented the passing an act for the settlement of the estates of adventurers and soldiers there, which I heard you intended to have done in a few days; and I presume, it will be now quickly done, being so necessary at this time, when the wants of the commonwealth call for supplies; and people will unwillingly pay taxes for those estates, of which they have no legal assurance: I need not tell you how much you were abused in the nomination of your officers of your armies there; their malice that deceived you, hath been sufficiently manifested: I do affirm, that those now that have declared for you will continue faithful, and thereby evince, that as well there as here, it is the sober interest must establish your dominion. As for Scotland, I must say, the people of that nation deserve to be cherished; and I believe your late declaration will much glad their spirits; for nothing was to them

more

" more dreadful, than a fear to be over-run with fanatic notions. I humbly recommend them to your affection and esteem; and desire the intended union may be prosecuted, and their taxes made proportionable to those in England, for which I am engaged by promise to become a suitor to you. And truly, sir, I must ask leave to intreat you to make a speedy provision for the civil government there, of which they have been destitute near a year, to the ruin of many families: and except commissioners for managing of the government, and judges to sit in courts of judicature, be speedily appointed, that country will be very miserable.

" I directed Mr. Gumble lately to present some names to you, both for commissioners and judges; but by reason of your great affairs, he was not required to deliver them in writing: but I humbly present them to your consideration."

This speech was not agreeable to all; some of the members complained, Monk spoke too positively, and assumed too great an authority: that he affected a popularity, which justly rendered him suspected: that he engaged for the fidelity of the Irish officers, which, however, was to be doubted: in short, that in saying, the cavaliers were not yet to have a share in the government, he gave that party hopes of being one day admitted.

Two days after, the parliament had occasion to try Monk's fidelity, and to be assured, whether he was so devoted to their interest as he studied to appear. The common council of the city of London, assembling the 7th of February, resolved to pay no more taxes till the parliament was filled. They knew Monk's design was to restore the members excluded in 1648, and, doubtless, thought by this resolution to advance the affair. They had nothing to fear from Monk, and knew the parliament would not recall the regiments which were removed from London, to force the city to obedience. Upon advice of this resolution, the parliament ordered Monk to lead his army into the city, seize eleven members of the common council, and pull down the chains, gates, and portcullises. Monk readily and instantly obeyed the order. He assembled his forces, entered the city, and arrested

Phillips,  
p. 684.  
Skinner.

Phillips,  
p. 684.  
Skinner.

Ludlow,  
t. II. p. 324.

Monk ordered by the parliament to chastise the city for its insolence,  
Clarendon,  
III. p. 557.  
Phillips,  
p. 648.  
R. Coke.  
Whitelock.

m It was an assessment of one hundred thousand pounds a month, lately imposed. Heath, p. 436. Whitelock says, The council of state found the city of London generally inclined to the bringing in of the king; at ap

have forthwith a free parliament for that end, p. 695.

n " He offered himself, if they would command these things to be done, so far their orders put in execution. Ludlow, t. II. p. 324.

1659-60. arrested the eleven members of the common council. Then he writ to the parliament an account of what he had done, praying them withal to moderate their rigour, with respect to the gates and portcullices. But the parliament, whether through animosity against the city, or a farther trial of Monk's fidelity, and perhaps to engage him in an irreconcilable quarrel with the city, insisted upon a punctual compliance with their order, and were immediately obeyed. After that, he returned with his troops to Whitehall, which displeased the parliament, believing Monk ought not to have quitted the city without their order. The same, or the following day, Praise-God Barebone, formerly mentioned on occasion of Oliver Cromwell's first parliament, presented a petition to the house, subscribed by many persons, desiring the oath of abjuration of Charles Stuart might be taken by all persons without exception, and he received the thanks of the house.

Barebone presents a petition, that the abjuration oath might be universally taken. Clarendon, III. p. 558. Phillips, p. 685. R. Coke. Monk by the remonstrances of his friends comes to know his error in embroiling himself with the city.

Monk's late proceedings astonished both his friends and the city of London. The magistrates, enraged at this treatment, looked upon him as a perfidious man, who had amused them with hopes of his supporting the re-admission of the secluded members, in order to know their sentiments and as one absolutely devoted to the parliament. On the other hand, his friends represented to him, that he was guilty of an irreparable fault, in quarrelling with the Londoners, who alone were able to support him against the parliament bent upon his ruin, whatever they might pretend: that this commission was a snare, which had lost him the confidence of the city, and exposed him to the parliament's designs against him; besides that without the assistance of London he would never, with his small army, be able to execute his intentions.

Resolves to repair it. Phillips, p. 685, 686. Skinner.

Monk, convinced by these reasons, that he had carried his dissimulation too far, thought only of repairing his error, by an open rupture with the parliament, in order to regain the esteem of the city. He therefore sent, without loss of time, Clarges his confidant to Sir Thomas Alleyne lord mayor, to tell him, he was very sorry for what he had done, and desired

o In Skinner's life of Monk, it is said, that the orders to march the army into the city, were not directed to Monk alone, but also to the other commissioners, whereof Hallerig, Walton, and Morley, were upon the place, and, ever since his arrival at London, had acted jointly with him; so that

had the general refused his orders, the others might have done the business without him, and consequently, put it to the hazard of removing him from the command of his army. But as he did not let his friends know this reason, the action was variously censured. p. 297.

desired a conference with him and the common council, to 1659-60, make reparation for his fault. But Clarges could obtain nothing from the lord mayor, who was persuaded that Monk was deceitful and treacherous, and only sought to deceive him. Notwithstanding all this, Monk assembled his forces, with a resolution to march once more into the city, and be reconciled to the magistrates, whatever might be the consequence. At his departure, he sent a letter to the parliament, writ with the approbation of his principal officers, complaining, "That they gave too much countenance to Lambert, Vane, and several that engaged with the late committee of safety; and that they had permitted Ludlow and some others to sit in their house, that had been, by sir Charles Coot and some of the Irish officers, accused of high treason; and had countenanced too much a late petition to exclude the most sober and conscientious, both ministers and others, by oaths, from all employment and maintenance; and in fine, peremptorily demanded, that by Friday next, they would issue out writs to fill up their house; and when filled, should rise at an appointed time, to give place to a full and free parliament."

By this letter the parliament easily perceived, Monk sought an occasion of quarrel, which, as it was difficult to avoid, it was judged the wisest course to vote Monk the thanks of the house for his care, and that his desires should be satisfied without delay. At the same time, Scot and Robinson were dispatched to him with this resolution. But Monk was now marched into the city, and had, though with great difficulty, prevailed with the mayor to assemble the common council that afternoon. Mean time, the two commissioners of the parliament, having waited on Monk with the message returned with little satisfaction. He only told them, "All would be well, if his letter was complied with." Upon this answer, the parliament voted, that the command of the army should be lodged in five commissioners, of whom Monk himself was one, and that the quorum of them should be three; but when it was moved, that Monk should always be one of the three, it was carried in the negative.

In this interval, Monk repairing to the common council, made a speech, in which he testified his concern for having accepted a commission so disagreeable in the execution to the city.

<sup>p</sup> They were sir Arthur Haslerig, colonel Morley, Walton, Alured and Monk. Ludlow, tom. II. p. 830, 831.

1659-60. city. That he was forced to accept it, or quit his command, which he had thought proper to keep at such a juncture, for the good of the city, and of the whole nation, whose happiness and advantages he should always promote to the utmost of his power. To give an unquestionable proof of the sincerity of his intentions, he communicated to the council his letter to the parliament, and answer to the two commissioners. As these proofs were convincing, the council was appeased, and Monk looked upon as a friend come to their relief, notwithstanding the transactions of the foregoing day. When the news of this reconciliation was dispersed through the city, it was followed with ringing of bells and bonfires in every street, at which were roasted numberless rumps in contempt of the parliament<sup>1</sup>. Some days after, the council of state sent to desire Monk to come and assist them with his counsels, in regulating the affairs of the nation: but he did not think fit to expose himself to that danger. He answered, that the inhabitants of London were so dissatisfied, that his presence was absolutely necessary in the city, to keep them in awe. On the other hand, the lord mayor and aldermen conjured him to stay in the city, acquainting him, that the parliament was secretly endeavouring to corrupt his army, and that sir Arthur Haslerig had writ to several persons in London, to that purpose. So Monk took care to avoid the snare laid for him.

Clarendon,  
III. p. 559.  
Phillips,  
p. 687.  
Burnet.  
Skinner.

Great re-  
joicings in  
the city.  
Phillips.  
Ibid.  
R. Coke.  
Burnet.  
Monk being  
required by  
the council  
of state to  
assist in their  
deliberati-  
ons, refused,  
Phillips,  
p. 677.

Monk re-  
ceives great  
numbers of  
petitions for  
the re-esta-  
blishment of  
the excluded  
members.  
Phillips,  
p. 687.  
Whitelock.

A confe-  
rence be-  
tween the  
members of  
the present  
parliament,  
and the se-  
cluded ones  
of 1648,  
comes to  
nothing.  
Clarendon,  
III. p. 560.  
Phillips,  
p. 687.

Since Monk's union with the city, addresses for the re-admission of the secluded members were more frequent than ever. Very likely, there were emissaries dispersed in several quarters, to incite the people to offer these petitions, which were always favourably received by Monk, it being necessary for him to support his designs by the general inclination of the people. He knew what use was to be made of a presbyterian parliament, though many who signed the petitions, imagined that presbyterianism was going to remount the throne.

At last, on the 18th of February, Monk so ordered it, that some of the sitting members had a conference with some of the secluded, concerning their re-admission. He could have wished, this might have been done by common consent. But the conference was fruitless, because the sitting members could not, or would not, undertake for the parliament's accepting the conditions which should be agreed on. They were for leaving that to the determination of the parliament,

who,

<sup>1</sup> This Saturday night, Feb. 11, was called the roasting of the rump. Skinner, p. 230.

who, doubtless, would have found means to prolong the affair. But Monk saw himself indispensably obliged to bring it to a speedy conclusion, for fear a delay might produce an agreement between the army and parliament. This union was so natural, in the extremity to which the affairs of the parliament were reduced, that it is astonishing, no endeavours were used to procure it. At least, history is silent upon that head. So Monk, desirous to improve so favourable a juncture, resolved to introduce the secluded members into the parliament, in spite of those who were now sitting. But as this could not be done without the assistance of the army, he assembled his officers, to acquaint them with his intentions. All consented, on certain conditions relating to their own interests, and which were positively promised. Then Monk made the secluded members engage, that after their re-admission, they would call a free parliament, and dissolve the present.

1659-60.

Monk's reasons to press the conclusion of the conference.

He resolves to restore by force the secluded members.

Phillips, p. 688.

Clarendon, III. p. 563.

The secluded members resume their places. Feb. 21. 1659-60.

Clarendon, III. p. 455.

Phillips, R. Coke, The inde-

pendent chiefs with-

draw. Phillips, p. 689.

Circular letters sent by Monk and his officers

to all the regiments.

Id. p. 682.

These resolutions being taken, Monk repaired to White-hall the 28th of February, attended by all the secluded members, and after an exhortation to take care of the interests of the nation, gave them a guard to conduct them to the parliament, where they took their seats, without any previous notice to the sitting members. They were so superior in number to the independents, that the heads of that party, after a short demur among themselves, thought fit to withdraw and abandon their cause.

The same day, Monk writ a circular letter to all the regiments, to inform them of the change in the parliament, to assure them of the zeal of the restored members for the interests of the army, and to desire their opposition to all attempts in favour of Charles Stuart. This last clause was thought necessary to keep the army in temper, which was yet far from desiring the king's restoration. This letter was signed by Monk himself, and his principal officers, and sent the same day to the colonels of the several regiments.

This

Monk made the secluded members, before their admission, subscribe their four articles. 1. To settle the conduct of the armies in the three nations so as might best secure the peace of the commonwealth. 2. To provide for the support of the forces by sea and land, and money also for their wages, and the contingencies of the

government. 3. To constitute a council of state for the civil government of Scotland and Ireland, and to issue out writs for the summoning a parliament to meet at Westminster the 25th of April. 4. To consent to their own dissolution, by a time that should be limited to them. Skelton, p. 247.

1659-60. This parliament continued their session but twenty five days, during which they did several things, plainly showing they were far from being the king's enemies. Some of their proceedings shall here be laid together, that I may not be obliged to break the thread of the narration. 1. They annulled all votes and orders made by the parliament since the 6th of December 1648, against the secluded members. 2. They released all the imprisoned friends of the king, and amongst the rest sir George Booth<sup>s</sup>. 3. They constituted Monk, by act of parliament, captain general of the armies of the three nations. 4. They repealed the oath of abjuration of Charles Stuart, and all the royal family. 5. They appointed a new council of state consisting of one and thirty members, most of them royalists, and well disposed to serve the king<sup>t</sup>. 6. They made great changes in the militia of London, and the several counties, and revoked all commissions granted by the republicans. 7. They abrogated the engagement "to be true and faithful to the commonwealth without a king or house of peers," by which the lords, who were generally the king's adherents, were restored to their right of constituting a separate house in parliament. Lastly, they dissolved themselves the 16th of March, after having issued out writs for a free parliament to meet the 25th of April, who were to restore the king, which was no longer doubted<sup>s</sup>. However, as such a change could not please every one, after so long an interruption of kingly power, the parliament, before their separation, thought it still necessary to amuse the publick, or at least to leave room to doubt whether the king's restoration was intended. Wherefore it was voted, first, that no person should be admitted to any military employ; before he had sworn to acknowledge the lawful

Acts made by the parliament during the remainder of its session. Phillips, p. 690, &c.

The parliament summons another, and dissolves itself. March 16. Clarendon, III. p. 563. Phillips, p. 694. Votes of the parliament before its separation to amuse the publick.

<sup>s</sup> The earls of Crawford and Lauderdale, and the lord Sinclair, were also released.

<sup>t</sup> To let the reader see who were then the leading men, it may not be amiss to insert the names of this council, which Rapin, by mistake, says, consisted but of twenty one members. General Monk, William Pierpoint, John Crew, colonel Rossiter, Richard Knightley, colonel Popham, colonel Morley, lord Fairfax, sir Anthony Ashley Cooper, sir Gilbert Gerrard, lord chief justice St. John, sir John Temple, lord commissioner Widdrington, sir John Evelyn, sir William

Waller, sir Richard Onslow, sir William Lewis, colonel Edward Montague, colonel Edward Harley, colonel Richard Norton, Arthur Annesley, Denzil Holmes, colonel George Thomson, John Trevor, sir John Holland, sir John Potts, colonel John Birch, sir Harbottle Grimstone, John Swinfin, John Weaver, serjeant Maynard. Phillips, p. 690.

<sup>u</sup> They also raised an assessment of one hundred thousand pounds a month, for the payment of the army, and defraying the publick expences for six months. Clarendon, tom. III. p. 563.

lawfulness of taking up arms against the late king <sup>w</sup>. Secondly, that no person who had been in arms against the parliament, should be chosen a member of the next parliament. In all appearance, these resolutions were only taken to prevent disturbances from the malecontents, in the interval betwixt the two parliaments. It is at least certain, that the last was neglected in the new elections of representatives, among whom were great numbers of royalists. As the non-observance of it was to be questioned by the next parliament only, there was nothing to be said, till they should meet.

But these delusive votes were not capable of imposing on the republicans, who saw but too plainly, that a resolution was taken to restore the king. To prevent this blow which could not but crush them entirely, they endeavoured to persuade Monk to take upon himself the government, and supply the place of Oliver Cromwell <sup>x</sup>, chusing rather to own him for governor or even sovereign, than be exposed to the king's vengeance. Monk having constantly rejected this offer, they applied to Clarges to desire him to persuade the general to accept the government. But Clarges discovered their plot to the council of state, who, if Monk had not interceded for them, would have punished them severely.

This attempt failing, they privately excited a good number of officers of their own principles to draw up a declaration, by which they engaged to support the republican government. They brought the declaration to the general to sign, pretending it should afterwards be subscribed by the whole army. But Monk excused himself, alledging, this precaution was needless after the vote, That no adherent of the king should be elected to serve in the ensuing parliament. But they made no account of this evasion, knowing, that it belonged to the house of commons to judge of the qualifications of their members. In short, as they continued to importune him, he forbid them with an air of authority, to assemble without his permission.

The transactions in England being quickly carried to cardinal Mazarin, it was not difficult for him to perceive, that Monk had some great design in view. But as he could not judge

The republicans endeavour to prevail with Monk to take the government upon himself, Phillips, p. 693. Warwick, but without success. Phillips, p. 693.

An engagement of some officers presented to Monk to oblige him to abjure the king. He rejects it. Phillips, p. 694.

Forbids the officers to assemble without leave from him.

Mazarin endeavours to interest himself in the English affairs, but

<sup>w</sup> In the act of the militia of London was a clause, that every commissioner shall acknowledge and declare, "That the war undertaken by both houses of parliament in their defence against the forces raised in the name of the late king, was just and lawful, and that magistracy and ministry

"are the ordinances of God." White-lock, p. 699.

<sup>x</sup> Among the rest (says Skinner) sir Arthur Haslerig, to preclude the king's restoration, offered him one hundred thousand hands that should subscribe his title, p. 276.

without success. Id. p. 695. Warwick.

1659-60. judge whether that general was labouring for himself or the king, he ordered monsieur de Bourdeaux the French ambassador at London, to offer his friendship to Monk, and every thing in his power, whatever were his designs. Probably, the cardinal, who had always treated the king with neglect, and was but little, if at all, desirous of his restoration, would have been glad, Monk had been labouring for himself. But in case Monk intended to restore the king, the cardinal was willing to have some share in it, in order to make amends for his harsh usage of the king, on sundry occasions. The ambassador applying to Clarges, intimated to him, that the cardinal was ready to serve the general in all his undertakings, and desired a conference with him. But though Monk would not absolutely refuse a visit from the ambassador, he ordered Clarges to tell him, it was on condition, he should not propose any thing to him in reference to the English affairs. So, the visit passed in general compliments.

Sir John Greenvil dispatched to Monk from the king. Clarendon, III. p. 574. Phillips, p. 695. Monk answers his message. Clarendon, III. p. 574. Phillips. Skinner.

The day after the dissolution of the parliament, sir John Greenvil, sent by the king to general Monk, was introduced to him in the night. He told him, the king expected great services from him, and that he would finish a work so happily begun, and even very far advanced. Monk answered, he was always disposed to serve his majesty to the utmost of his power: but the troops of the two armies were yet so averse to his restoration, that the design could not be kept too secret, because a discovery would give occasion to the republicans to subvert it. Dissimulation therefore was yet necessary, till the parliament which was to meet should complete the work; and, in the mean time, it should be his care to model the army to the king's advantage, by the removal of the most suspected officers. He added, the better to

y Mr. Locke says, that Monk had agreed with the French ambassador to take the government on himself, by whom he had promise from Masarin of assistance from France, to support him in this undertaking. This bargain was struck between them late at night, but not so secretly, but that Monk's wife, who had posted herself behind the hangings, where she could hear all that passed, finding what was resolved, sent immediately notice of it by her brother Clarges to sir Anthony Ashley Cooper. She was zealous for the restoration of the king, and promised sir Anthony, to watch her hus-

band, and inform him from time to time how matters went. Upon this notice sir Anthony summoned the council of state, and before them, indirectly charging Monk with what he had learned, proposed, that to remove all scruples, Monk would at that instant take away their commissions from such and such officers in his army, and give them to those whom he named. By this means the army ceased to be at Monk's devotion, and was put into hands that would not serve him, in the design he had undertaken. Memoirs of the earl of Shaftsbury.

to execute the projected design, he thought it absolutely necessary for the king to prepare a declaration capable of dispelling the fears of those who were most guilty, and promise a free and general pardon to all his subjects, except such as should be exempted by parliament; and that he would consent to any act which should be presented to him for the payment of the arrears due to the army, and for the settlement of publick sales and dispositions of lands to officers, soldiers and others; as also for toleration or liberty of conscience, and that no person should be molested on account of his religion, who should not disturb the publick peace. Lastly, his advice was, that the king should remove in time to some town of the united Provinces, to prevent his being arrested by the Spaniards, should they have any such intention, which might ruin the whole undertaking.

The king punctually followed these instructions, as will be presently seen, and removed from Brussels to Breda, not without danger of being stopped at Brussels, according to the lord Clarendon.

Mean while, Monk made good use of the time, which remained till the meeting of the parliament. He displaced on divers pretences, such officers as were most suspected by him, and filled their posts with others in whom he could entirely confide. Moreover, some officers, by his direction, framed an engagement in form of an address to the general, by which they promised a ready obedience to the orders of the parliament, when assembled. This engagement being presented to Monk, he approved it, and ordered it to be subscribed by all the regiments in England, Scotland, and Ireland. This gave him a pretence to remove such as refused to sign it.

While the hopes of the king and his party were daily increasing, an accident happened, which might have been attended with ill consequences, had it not been speedily remedied. This was Lambert's escape out of the Tower, and his putting himself at the head of some troops. As he was greatly esteemed by the soldiers, there was danger that all the republicans, who were very numerous in the army, would declare for him. Wherefore Monk lost not a moment to prevent this danger before the mischief reached any farther. Lambert having assembled some discontented troops at Daventry, Ingoldsby was immediately sent against him.

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with  
R. Coke.  
Whitelock.

s Seven or eight troops of horse, and one company of foot. Phillips, p. 698. — Four troops of horse in all, says Whitelock, p. 699. t. II. p. 373.

1659-60.

Clarendon,  
III. p. 578.

Monk ca-  
stiers several  
officers, and  
substitutes  
others more  
faithful in  
their places.  
Phillips,  
p. 697.  
Burnet.  
April 9.

1660.

Lambert es-  
capes out of  
the Tower,  
and puts  
himself at  
the head of  
some troops.  
April 9.  
Clarendon,  
III. p. 567.  
Rec.  
Phillips,  
p. 698.  
R. Coke.  
Whitelock.

1660. with Monk's own regiment, and ordered to take some other troops in his way and give him battle. This extreme diligence did the business effectually. As Lambert had not yet time to assemble many troops, Ingoldby met him the 22d of April, thirteen days after his escape, defeated and sent him to the Tower. Thus the fear which Lambert's escape had infused into the king's party was entirely dispelled.

Is defeated, and made prisoner by Ingoldby.  
A forged letter dispersed to prevent the king's restoration. Phillips, p. 699.

Declaration of the king's party. Clarendon, III. p. 578. Phillips, p. 700.

The parliament meets April 25. Clarendon, III. p. 589. Phillips, p. 701. Whitelock. Warwick.

The king sends a commission to Monk to make him general. Phillips, p. 701. Skinger.

Two days before the parliament met, the republicans made another attempt to prevent the king's restoration, by dispersing a forged letter from Brussels, in which it was said, that the king only waited his restoration, to be severely revenged upon all his opposers. It was also added, that his party was preparing to put them all to the sword. This forged letter beginning to do mischief, the lords, and others of the king's party, published a declaration signed by seventy persons, in which they disavowed the intentions ascribed to them, and protested, that their desire was to live peaceably, without any thoughts of revenge upon the authors of their sufferings.

The new parliament met the 25th of April, in two houses, the one of lords, the other of commons, agreeably to the antient constitution<sup>a</sup>. In the house of lords most were the king's friends. In that of the commons, it was found, that many royalists were elected, notwithstanding the above-mentioned vote. Some presbyterians, who were not in the secret, had a mind to complain, and moved for an examination of the elections, but were not heard. Most of the presbyterian members were no less zealous than the royalists for the king's restoration, which every one wished, not so much, perhaps, out of affection to him, as to deliver the kingdom from the dominion of the independents and fanatics, and from the tyranny of the army, which had lasted twelve years.

Two days after the opening of the parliament, Greenvil, returning from Brussels, waited on Monk, with a commission from the king, constituting him captain-general of all the forces of the three kingdoms, and also with a letter from his majesty to be communicated to the council of state, and the officers of the army. But Monk declined to open the letter, till he had received the parliament's directions. Mean time, the commons having adjourned themselves for two or three days, Greenvil applied himself to the lords, and pre-

<sup>a</sup> Edward Montague, earl of Manchester, was chosen speaker for the

lords, and sir Harbottle Grimston for the commons. Phillips, p. 701.

presented to them a letter from the king, with a declaration 1660.  
dated the 14th of April.

In the letter the king told the lords; that hearing, they were again acknowledged to have the authority, belonging to them by their birth, he hoped they would use it for the publick good, for composing the distractions of the kingdom, and for restoring him to his just prerogatives, the parliament to their privileges, and the people to their liberties. As for the declaration, it will be necessary to insert it at large.

Greenvil presents a letter, and a declaration to the lords from the king. The substance of it. Clarendon, III. p. 591. Whitelock.

CHARLES REX,

“CHARLES by the grace of God, king of England, Scotland, France and Ireland, defender of the faith, &c. To all our loving subjects, of what degree or quality soever, greeting. If the general distraction and confusion which is spread over the whole kingdom, doth not awaken all men to a desire and longing, that those wounds, which have so many years together been kept bleeding, may be bound up, all we can say will be to no purpose: however, after this long silence, we have thought it our duty to declare how much we desire to contribute thereunto: and that as we can never give over the hope, in good time to obtain the possession of that right, which God and nature hath made our due; so we do make it our daily suit to the divine providence, that he will, in compassion to us and our subjects, after so long misery and sufferings, remit, and put us into a quiet and peaceable possession of that our right, with as little blood and damage to our people as is possible; nor do we desire more to enjoy what is ours, than that all our subjects may enjoy what by law is theirs, by a full and entire administration of justice throughout the land, and by extending our mercy where it is wanted and deserved.

“And to the end that fear of punishment may not engage any, conscious to themselves of what is past, to a perseverance in guilt for the future, by opposing the quiet and happiness of their country, in the restoration both of king, peers, and people, to their just, antient, and fundamental rights; we do by these presents declare, That we do grant a free and general pardon, which we are ready, upon demand, to pass under our great seal of England, to all our subjects, of what degree or quality soever, who within forty days after the publishing hereof, shall lay hold upon this our grace and favour, and shall by any

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“pub-

1660.

“ lick act declare their doing so, and that they return  
 “ to the loyalty and obedience of good subjects, except-  
 “ ing only such persons as shall hereafter be excepted  
 “ by parliament: those only excepted, let all our sub-  
 “ jects, how faulty soever, rely upon the word of a  
 “ king, solemnly given by this present declaration, that  
 “ no crime whatsoever, committed against us, or our royal  
 “ father, before the publication of this, shall ever rise in  
 “ judgment, or be brought in question against any of them,  
 “ to the least endamagement of them, either in their lives,  
 “ liberties, or estates, or (as far forth as lies in our power)  
 “ so much as to the prejudice of their reputations, by any  
 “ reproach, or terms of distinction from the rest of our best  
 “ subjects; we desiring and ordaining, that henceforward  
 “ all notes of discord, separation, and difference of parties,  
 “ be utterly abolished among all our subjects whom we in-  
 “ vite and conjure to a perfect union among themselves,  
 “ under our protection, for the resettlement of our just  
 “ rights and theirs, in a free parliament, by which, upon  
 “ the word of a king, we will be advised.

“ And because the passion and uncharitableness of the times  
 “ have produced several opinions in religion, by which men  
 “ are engaged in parties and animosities against each other;  
 “ which, when they shall hereafter unite in a freedom of  
 “ conversation, will be composed, or better understood; we  
 “ do declare a liberty to tender consciences; and that no  
 “ man shall be disquieted, or called in question for differ-  
 “ ences of opinion in matters of religion, which do not dis-  
 “ turb the peace of the kingdom, and that we shall be rea-  
 “ dy to consent to such an act of parliament, as upon ma-  
 “ ture deliberation shall be offered unto us, for the full gran-  
 “ ting that indulgence.

“ And because in the continued distractions of so many  
 “ years, and so many and great revolutions, many grants  
 “ and purchases of estates have been made to and by many  
 “ officers, soldiers, and others, who are now possessed of the  
 “ same, and who may be liable to actions at law, upon se-  
 “ veral titles; we are likewise willing, that all such differ-  
 “ ences and all things relating to such grants, sales and pur-  
 “ chases, shall be determined in parliament, which can best  
 “ provide for the just satisfaction of all men who are con-  
 “ cerned.

“ And we do further declare, that we will be ready to  
 “ consent to any act or acts of parliament, to the purposes  
 “ aforesaid, and for the full satisfaction of all arrears due

“ to the officers and soldiers of the army under the com-  
 “ mand of general Monk, and that they shall be received  
 “ into our service upon as good pay and conditions as they  
 “ now enjoy.” 1660.

Immediately after the reading of this declaration, the lords  
 voted, “ That, according to the antient and fundamental  
 “ laws of this kingdom, the government is, and ought to be  
 “ by king, lords, and commons.”

Then, sir John Greenvil came to the house of commons,  
 and presented a letter to them from his majesty, with the  
 same declaration inclosed, which was read, as well as the  
 letter directed to general Monk to be communicated to the  
 council of state and the army. These papers, which, three  
 months before, would have lain unregarded on the table,  
 were now considered as convincing proofs of the king's good  
 intentions, and sufficient reasons to restore him to the exer-  
 cise of the kingly power, without requiring other conditions  
 than what he should himself be pleased to grant. The com-  
 mons therefore readily agreed to the vote of the lords, and  
 so the king saw himself restored without any of the condi-  
 tions which had caused so long a war, and so great an effusion  
 of blood. This is a clear evidence, either that the royalists  
 were much superior in number in the house, which never-  
 theless is not very probable, or that the presbyterians were  
 willing to desist from conditions which they had formerly so  
 ardently demanded, for certain terms relating to their res-  
 toration, which had been positively promised, but which, as  
 they were never performed, gave afterwards too just cause  
 of complaint.

The king being effectually recognized, by the vote of  
 both houses, the commons ordered, that fifty thousand  
 pounds should be presented to him, ten thousand to the  
 duke of York, and five thousand to the duke of Gloucester.  
 These princes had never before been masters of such sums.

Then the commons ordered, that all the journals should  
 be searched, and those acts and orders razed out which were  
 inconsistent with the government of king, lords and com-  
 mons. The army, the navy, and the city of London pre-  
 pared addresses to congratulate his majesty on his restoration,  
 and to promise him perfect obedience, and these addresses  
 were delivered to Clarges, who undertook to carry them to  
 the king. The 8th of May, the king was proclaimed in  
 London with great solemnity, and commissioners from the

M 3

parliament

b The city of London sent also ten thousand pounds to the king, and a thousand pounds a-piece to his two brothers. Phillips, p. 707.

Vote of the  
 lords in fa-  
 vour of the  
 king.

Phillips,  
 p. 703.

The com-  
 mons receive  
 a letter from  
 the king,  
 with the  
 declaration.  
 Id: p. 703.

The com-  
 mons con-  
 cur with the  
 lords, and  
 the king is  
 restored  
 without any  
 conditions.

Presents  
 made by the  
 commons to  
 the king,  
 duke of

York, and  
 duke of  
 Gloucester.

Whitelock,  
 Phillips,

p. 705, 706.

Clarendon,  
 III. p. 592,

R. Ccke.

The king  
 proclaimed.

May 8.  
 Phillips,

p. 708.

1660. parliament and city departed on the 11th to wait on the king who expected them at the Hague. Some presbyterian ministers also repaired thither, as well to imprint on the king a sense of the service lately done him by their sect, as to sound his inclinations with regard to the liberty, which they had probably stipulated, before they engaged in the affair of his restoration. The king confirmed by word of mouth what he had promised by his declaration. But when they besought him not to revive the use of the common prayer, in his chapel, and that the surplice might be discontinued, he warmly answered, "That whilst he gave them liberty, he would not have his own taken from him<sup>c</sup>."

After the king had given audience to the parliament's commissioners the 16th of May, and received the homage of admiral Montague, and the other officers of the navy, who waited on him at Scheveling, he still remained some days at the Hague, as well to prepare for his departure, as to receive the compliments of the states<sup>d</sup>, and embarked the 23d. He arrived at Dover the 25th, and the same at Canterbury, where on the morrow, he honoured Monk with the order of the garter. The 29th, his birth day, he arrived at Whitehall, through a numberless multitude of people, who by their acclamations demonstrated their joy at his restoration<sup>e</sup>.

Commissioners from the parliament and city to the king.

Id. p. 707, Clarendon, III. p. 600.

Conference between some presbyterian ministers and the king.

Id. p. 601.

The king gives audience to the deputies from the parliament, May 16.

Arrives at Whitehall.

May 29.

Phillips,

p. 710, 711.

Clarendon,

III. p. 602.

c Whitelock says, "The ministers had discourse with the king, and were much satisfied with him," p. 702. But the lord Clarendon's words are: "Though they were much unsatisfied with him, they ceased farther troubling him." Tom. III. p. 602.

d Who made him a present of six thousand pounds. Whitelock, p. 701.

e Burnet observes, in the history of his own times, that such unanimity appeared in the proceedings of the parliament for the king's restoration, that there was not the least dispute among them, but upon one single point, yet that was a very important one. Hale, afterwards the famous chief justice, moved, That a committee might be appointed to look into the propositions that had been made, and the concessions that had been offered by the late king, and from thence digest such propositions, as they should think fit to be sent over to the king. This was seconded, but by whom the bishop

forgot. As such a motion was foreseen, Monk was instructed how to answer it: he told the house, that he had information of such numbers of incendiaries still in the kingdom, that if any delay was put to the sending for the king, he could not answer for the peace either of the nation or army. And as the king was to bring neither army nor treasure with him, either to fright or corrupt them, propositions might be as well offered to him when he should come over; so he moved for sending commissioners immediately. This was echoed with such a shout over the house, that the motion was no more insisted on. And this, says Burnet, was indeed the great service Monk did. To the king's coming in without conditions, may be well imputed all the errors of his reign, and it may be added, many mischiefs that followed afterwards, p. 88, 89.

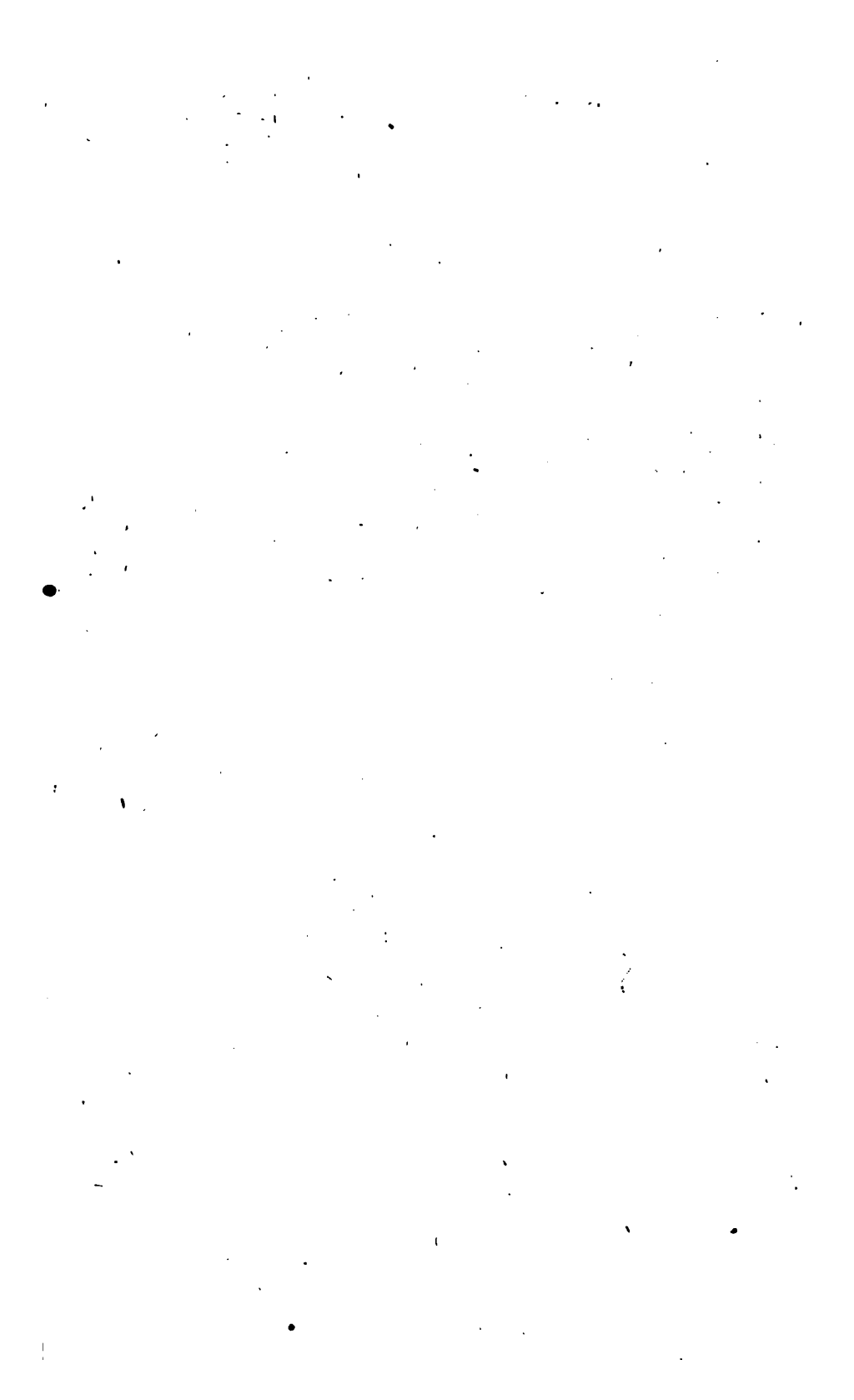
The parliament, on April 25, 1649, agreed upon a new sort of coin, whereof

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were coined crowns, half crowns, shillings, sixpences, pence, and halfpence. The larger pieces were inscribed on one side, **THE COMMONWEALTH OF ENGLAND**, and had St. George's cross in a shield, betwixt a palm-branch and a laurel; reverse, the same shield conjoined to another, in which is a harp for Ireland (vulgarly called the breeches) above which there is **XII. the legend GOD WITH US**. The sixpence has **VI.** above the shields. The twopence and pence have no inscription, only the initial figures; and the halfpenny only the single shield, with the harp on the reverse. There were likewise coined pieces of fine gold, of the same form and inscription as the silver money, **xx.** above the arms. The half of them have **x.** (fig. 2.) The sixpence 1651, is, strictly speaking, the first milled money, queen Elizabeth's being only marked on the flat edge. The copper farthing has the cross under a garland, **ENGLANDS FARTHING**. Reverse, a harp, **FOR NECESSARY CHANGE**. Oliver Crom-

well's crown-piece is inimitably performed, and preserved as a choice medal in the cabinets of the curious, being the first milled money that has an inscription upon the rim. It has his head laureat, **OLIVAR. D. G. FR. ANG. SCO. HIB. &c. PRO.** Reverse, in a shield crowned with the imperial crown of England, St. George's cross in the first and fourth quarters; St. Andrew's for Scotland in the second; and the harp for Ireland in the third; and in a scutcheon of pretence his paternal coat, namely, a lion rampant, legend **PAX QUÆRITUR BELLO. 1658.** upon the rim, **HAS. NISI. PERITURUS. MIHI. ADIMAT. NEMO.** The dye of this piece having received a flaw or crack the first stroke leaves a mark upon the money just below the neck; a sure token to distinguish the true crown-pieces from the counterfeit. The half crown is equally beautiful, though not so rare. The shilling is likewise a very fair piece, milled on the edge, and very rare, (fig. 1.)





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T H E  
H I S T O R Y  
O F  
E N G L A N D.

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B O O K XXIII.

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26. C H A R L E S II.

**A**T the arrival of the king, the face of England was entirely changed, and joy, pleasures, publick and private rejoicings succeeded to trouble, fear, and confederation. The people were so tired of the life they had led for twenty years past, that they did not believe it possible to be in a worse state. Every one rejoiced to see at last a calm after so long a storm, and expected to enjoy a tranquillity, sought in vain for so many years. The royalists and episcopalians were at once raised to the height of their wishes, in beholding Charles II. on the throne of his ancestors, and the church of England about to resume her former lustre. The presbyterians flattered themselves, that their late services for the king would at least procure them an entire liberty of conscience, and the free exercise of their religion. The republicans, independents, anabaptists could not, indeed, hope to be restored to the state they had enjoyed so many years, but expected at least an entire impunity, agreeably to the Breda declaration. The regicides, that is, the late king's judges, were the only persons that could not but expect the punishment, they justly deserved, and

1660.

Hopes of the  
several parties  
at the king's arrival.  
Burnet.

1660. and yet, even they despaired not of the king's clemency, as indeed, such as cast themselves upon it, were not wholly disappointed. It is not therefore strange that the whole kingdom should resound with joyful transports, and unite in receiving with loud acclamations a king, who, according to the general expectation, was to restore the publick tranquillity and happiness, and put all things in their natural order.

Extreme  
pre-possessi-  
on in favour  
of the king.  
Idem.

Charles II. at the time of his restoration, was thirty years old, and but little known to most of his subjects, because he had long lived out of his dominions. His actions in the west, during his youth, where he commanded for the king his father, had been distinguished by no advantageous event. His conduct in Scotland, when he was called to the crown of that kingdom, had not redounded to his honour, since, in his declaration published there, he had not scrupled to sacrifice the king his father to his own private advantage. In short, the battle of Worcester had acquired him no reputation, in which some pretend he had been too careful of his person, though others speak of his valour on that occasion with great commendation. However this be, his defeat did not contribute to raise his fame as a general. Nevertheless, his friends, with a view to his restoration, had published such extravagant praises of him and with such assurance, that, before his arrival in England, he passed there for an accomplished prince, endowed with all the virtues and noble qualities of a hero. This prepossession did more mischief to England, than all the calumnies thrown upon the late king. Every one was thereby almost equally disposed to put an entire confidence in the new king, in the belief, that a prince of such a character could never abuse it<sup>a</sup>. It was hoped, that content with restoring the government to the state it was in under queen Elizabeth, he would avoid treading in the steps of his father and grandfather, without attempting to extend his prerogative. This hope was the more readily entertained, as it was not doubted, that the example of his father had made a strong impression upon him. It will here-  
after

<sup>a</sup> When the earl of Southampton came to see what Charles II. was like to prove, he said once, in great wrath, to chancellor Hyde, that it was to him they owed all they either felt or feared; for if he had not possessed them, in all his letters, with such an opinion of the king, they would have taken care to have put it out of his power,

either to do himself or them any mischief. Hyde answered, he thought the king had so true a judgment, and so good nature, that when the age of pleasure should be over, and the idleness of his exile turned to an obligation to mind affairs, that he would have shaken off these intanglements. Burnet, p. 89.

after appear, to what excess this confidence was carried, and what use Charles made of it to begin the ruin of the liberty and religion of the English, which his successor James II. had certainly accomplished, had not God, by a revolution the most wonderful, blasted his designs, when he thought himself most secure of success. This project to render the king absolute, and equally to employ for that purpose the assistance of catholicks and protestants, begun by James I. vigorously pursued by Charles I. interrupted by twenty years troubles, was eagerly resumed under Charles II. If this be not laid down as the basis of the events of this reign, I do not think it possible to account for the conduct of king Charles II. unless it be believed, that he acted by mere caprice, without principles, maxims, or any design, which can not be thought of a prince, who had as much wit and sense as any prince in Europe. But it is not yet time to descend to these particulars, especially as it is uncertain whether this project was formed at the beginning of his reign, or owing to some favourable junctures. At least, the conduct of Charles immediately after his restoration, gives no occasion to suspect he had already thought of it.

Charles had, as I have said, embraced the catholick religion, before his return into England. Some say, he abjured the protestant religion to cardinal de Retz, before he left France the last time. Others pretend, it was in the year 1659, in his journey to Fontarabia, in order to procure his restoration by the assistance of the two crowns of France and Spain. However this be, the secret, known only to the earl of Bristol and sir Henry Bennet, afterwards earl of Arlington, was so well concealed, that the publick was ignorant of it till after the king's death, when his successor, James II. was pleased to divulge it. But at present, it is a thing of which there is no room to doubt. It may be affirmed, his embracing the catholick religion was not through a principle of conscience, since, in the whole course of his life, he showed no sense of religion. The greatest compliment a famous author thinks fit to pay him, is, to say he was no atheist. This is confirmed by the character given of him by the earl of Mulgrave, who cannot be suspected of a design to slander him. His sentiments of religion in general may be judged of, by what doctor Burnet says of him, in the history

Design to  
render the  
king abso-  
lute.

The king's  
religion.  
Burnet,  
p. 73, 74.

Id. p. 73.

The earl of  
Mulgrave in  
his charac-  
ter of  
Charles II.

of

b Burnet's words are. "He said  
"once to myself, he was no atheist,  
"but could not think God would make  
"a man miserable, only for taking a  
"little pleasure out of the way." Tom.  
I. p. 93.

1660. of his own times, namely, that he scrupled not to communicate the same day in two different chapels, publickly in the protestant, and privately in the popish. However, he lost no opportunity, in his speeches to the parliament, to boast of his attachment to the protestant religion, and his zeal for its advancement. Such behaviour, so unworthy of a christian, cannot but be very injurious to his memory. Accordingly, those, who have most endeavoured to palliate his failings, have not been able to deny, he was a perfect master of dissimulation.

King  
Charles's  
governing  
maxim.  
Burnet,  
p. 91.

He had, besides this, a maxim not much less dangerous, namely, that there was neither sincerity nor chastity in the world out of principle, but that some had the one or the other out of humour or vanity; and believed no body served him out of love, and therefore he was even with all the world, and loved others as little as he thought they loved him. He was extremely affable, and so easy and complaisant, that he seemed to take a pleasure in bestowing favours, by his manner of receiving the requests that were made to him. But he forfeited at last the esteem and affection of his subjects, who had almost adored him in the beginning of his reign, because they discovered how little they could depend on kind words and fair promises, in which he was liberal to excess.

His faults.  
Burnet.  
Mulgrave.

He was so addicted to his pleasures, that though he was very capable of business, had a good judgment, quick apprehension and great penetration, his ministers could hardly prevail with him to suspend his pleasures some hours, and attend to affairs which required some application. But it happened also sometimes that when he would apply himself to business, he dispatched more in one day, than his ministers in several.

As his mistresses devoured his whole time, so they consumed all his treasures. Though his revenues were larger than those of any of his predecessors, except Henry VIII. and the parliament often granted him extraordinary supplies, he was ever in want, because he spent his money without measure or discretion, as he received it. This threw him upon his parliament, and, not to break with the commons, he was obliged to promise what he never intended to perform.

His good  
qualities.

These are the principal faults imputed to king Charles. But, on the other hand, it cannot be denied, that he had many good qualities, which might have produced happy effect; had he made a better use of them. His wit was lively,

lively, his conception wonderful, and his judgment exquisite. 1660. He knew the interest of the princes of Europe, better than any of his ministers. He had applied himself, during his exile, to the study of physick and the mathematicks, and more particularly to navigation, and the building of ships, in which he had made great progress. With these qualities, he might very easily have governed his dominions, in a manner glorious to himself and advantageous to his subjects, and made himself arbiter of Europe. And yet, his reign cannot be said to be either glorious to himself, or happy to his subjects. The reason is, that because of his attachment to his pleasures and natural remissness, he delivered himself up to the counsels of his ministers, and particularly of his brother the duke of York, who, during this whole reign, had but too much influence upon the resolutions of the king's council, into which he found means to introduce such as he believed proper for the execution of his projects, with regard to church and state. The duke of York was of a temper more ac-<sup>Duke of York's character.</sup>tive, violent, haughty, and revengeful. He had formed the design of raising the royal authority to a great height, and withal, of restoring the catholick religion in England. He never ceased, through this whole reign, to pursue these projects, but more especially, after he was assured, the king his brother could not expect any legitimate children. All the principal events of this reign, depending properly upon the humour and character of these two princes, I thought it necessary to premise this description of them.

The king was received in London with extraordinary ac-<sup>Great licentiousness in England. Burnet.</sup>clamations, and it began then to be perceived, that, under colour of rejoicing for the king's restoration, the English were throwing themselves into a dissoluteness, which would not have been endured under the presbyterians and independents, but which daily increased during this whole reign, by the ill examples of the king and the court.

The king's first care was to establish a council, composed chiefly of those who had shown most zeal or affection for him-<sup>The king forms his council.</sup>self, or the king his father. He received, however, some men into it, who seemed naturally to have no pretensions thereto.

This

<sup>c</sup> They were thirty in all. The dukes of York, and Gloucester, sir Edward Hyde, general Monk, admiral Montague, earl of Sandwich, the marquis of Ormond, the marquis of Dorchester, the marquis of Hertford, the earls of Southampton, Lindsey, Berkshire, Norwich, Manchester, Northum-

berland, St. Albans, and Leicester; viscount Say; the lords Wentworth, Seymour, Colepepper, and Roberts, Denzil Holles, sir Frederick Cornwallis, sir George Carteret, sir Anthony Ashley Cooper, colonel Howard, Arthur Annesley, sir Charles Berkeley, sir Edward Nicholas, and sir William Morrice.

1660.

This was the effect of his policy: for it appeared, in his conduct at first, that his principal aim was to suppress the former troubles, in which he could not better succeed, than by securing a perfect reliance on his promises published in his Breda declaration. His intention was to stifle, as much as was possible, the enmities which had so long divided his subjects, and to unite them all in an obedience to the laws, and a sincere attachment to his person as their true center. He laboured this for some time with zeal, even, as I said, to the receiving into his council men, who had professed themselves his greatest enemies. Herein he imitated his grandfather Henry IV. of France; but, as will be seen hereafter, he was not suffered long to pursue this course.

Chancellor  
Hyde his  
first mini-  
ster.

Edward Hyde lord chancellor, and soon after earl of Clarendon, was the king's prime minister, in whom, with great reason, he entirely confided. But, as very visibly appears in his history of the civil wars, he was a mortal enemy of the presbyterians, and consequently, little proper to preserve the king in his resolution of procuring tranquillity for all his subjects without distinction.

The parlia-  
ment called  
a conven-  
tion.

As soon as the king was arrived in England, the assembly, which from the 25th of April had been honoured with the name of parliament, was only called the convention, the king being unwilling to own for parliament, an assembly which had not been summoned by his writs. But this change of name was of no long continuance. Two days after his arrival, the king went to the house of lords, where he sent for the commons, and gave the royal assent to three acts: the first was, to change the convention into a parliament<sup>d</sup>: the second, to continue the monthly tax of seventy thousand pounds for three months; and the third, to continue all judicial proceedings.

June 1.

Acts passed  
by it.  
Statutes,  
12 Car. 2.

The parlia-  
ment chiefly  
composed of  
presbyteri-  
ans.  
R. Coke.

Had the directions and orders of the foregoing parliament been followed, this parliament should have admitted no member, who had either served the last or present king. But this order having been neglected in the elections, all were admitted without distinction or examination, who had been chosen. As the scheme for the king's restoration was entirely formed, when this parliament met, the presbyterians, who were much superior in number, did not think proper to exclude the royalists, with whom they had agreed to restore

<sup>d</sup> And to prevent all doubts and scruples concerning this parliament, it was enacted, that the lords and commons then sitting at Westminster, were the

two houses of parliament, and so should be declared and adjudged to be, notwithstanding any want of the king's writs of summons. Statute, 12, Car. 2. c. 2.

1660.

restored the king. Neither was it thought fit to exclude the republicans, nor the regicides themselves, who were not considerable enough to obstruct the project agreed on. This parliament is therefore to be looked upon as an assembly, where the presbyterians had certainly a superiority of voices, and it was this parliament that restored the king to the throne of his ancestors, and, during their short continuance, gave him very real marks of their zeal for his service, and the re-establishment of peace and tranquillity in the kingdom.

The affairs of this parliament, after the king's arrival, consisted in three principal points. The first was an act of pardon or indemnity for whatever had passed since the beginning of the troubles. This act was absolutely necessary for the security both of the persons and descendants of those who had been concerned in these troubles, and were liable to be called to an account, if the laws had been strictly executed. For as, from the year 1642, the king's party had been deemed rebels by those who were in power; the king, coming to rule in his turn, might have declared rebels all who had been in arms either against him or his father. The question of right concerning the war between the king and the parliament, remaining undecided, it was natural for him who had the power in his hands, to explain the laws in his own favour. But, on the other hand, it was to be feared, that rigour, on this occasion, would kindle a new flame. Besides, it was very difficult precisely to explain wherein consisted the rights of the king and those of the subject, considering the arguments on both sides, and the infinite cavils to which such a discussion was liable. In a word, explications of this nature had occasioned the troubles, which, if it was possible, were intended to be buried in eternal oblivion. It was thought therefore that the best means to quiet the minds of the subjects was, an act of indemnity for every thing during the troubles.

The second affair of the parliament, was to enable the king to disband the army. There was no reason for keeping on foot an army which had been the principal cause of the disorders committed of late years, and which would have been still capable of disturbing the peace of the kingdom under an able leader.

The

<sup>e</sup> Bunnet says, these five following persons, all presbyterians, had the chief hand in the restoration; sir Anthony Ashley Cooper, afterwards earl of Shaftsbury, sir Arthur Annesley, af-

terwards earl of Anglesey, Denzil Holles, created lord Holles of Ifield, the earl of Manchester, and the lord Roberts. p. 96.

1660.

The king's  
revenues.

The com-  
mons accept  
the pardon  
promised by  
the king.  
Kennet.

So do the  
lords.

Proclama-  
tion in favour  
of the king's  
judges.  
June 6.  
Kennet's  
register,  
p. 175.  
Phillips.  
Heath.

The repub-  
licans de-  
mand of the  
king, parti-  
cular letters  
of pardon.

The king,  
his brothers,  
&c. dine in  
the city.  
Phillips,  
p. 714.

The third affair was the settling the king's revenue, since it was absolutely necessary to give him wherewithal to support the government, and put him in a condition to be courted and feared. On these three important affairs the parliament bestowed their first care, and began with the act of indemnity, as being the most urgent. For this purpose the house of commons solemnly declared, in an address presented to the king by the whole house, that they accepted, in the name of themselves, and all the commons of England, the gracious pardon offered by his majesty in his declaration from Breda, with reference to the excepting of such as should be excepted in an act of pardon. The lords likewise presented a petition of the like import.

Immediately after, the king published a proclamation, declaring, that all such of the late king's judges as did not surrender themselves within fourteen days, should be absolutely excluded from the general pardon. Though, by the words of this proclamation, those who surrendered themselves could not be assured of their lives, it was nevertheless understood, that the king made use of this artifice only to have it believed, that he would not limit the power and resolutions of the parliament on this point, and it was not doubted that the two houses considered this proclamation as a sort of pardon, at least for life, to those who should confide in it. In consequence of this proclamation, twenty of the late king's judges voluntarily surrendered themselves. Others withdrew out of the kingdom, and some were taken in attempting to escape.

While the parliament proceeded in the bill of indemnity, some leading republicans, who had not been the king's judges but had exercised civil or military employs during the troubles, fearing to be called to an account, demanded of the king letters of-pardon under the great seal, in order to screen themselves from all prosecution. The king very readily granted their request, showing thereby that he really intended to perform his promise in his Breda declaration. For he was persuaded, there was no better way to pacify the troubles and give his subjects confidence, than the exact observance of his promises.

The 5th of July, the city of London invited the king and the two princes his brothers, the great officers of the crown, and both houses of parliament to an entertainment, the magnificence whereof was suitable to the riches of the city which gave it, and the quality of the persons invited.

Though

Though the king really intended the act of indemnity 1660. should be quickly dispatched, it met with great obstacles in the house of commons with regard to the clauses which were to be inserted. Some were for having no regard to the Breda declaration, but for making examples of all who had most ardently supported the late usurpation. This raised a suspicion that the king encouraged these men, and intended to suspend the effect of his declaration by means of the parliament, till he was revenged of his enemies. This was industriously dispersed amongst the people in libels, tending to destroy all confidence in the king's promises, and revive the troubles by driving to despair those who knew themselves most guilty. To dispell therefore these suspicions, which might have produced ill effects, the king sent a message to the house, to press them to dispatch the act of indemnity, and to make it agreeable to his declaration from Breda. This message so quickened the debates, that a few days after, the act passed the house of commons, and was sent up to the lords for their concurrence.

The act of indemnity meets with some hindrances. *ibid.*

In the bill, the house of commons excepted for life and estate, but a few of the most notorious and active regicides. But the lords, incited by divers petitions of the widows, children, and relations of persons executed by the sentences of the courts erected during the usurpation, were for excepting from pardon all who had been judges in those courts. The king fearing new delays from this difference of sentiments between the two houses, came to the house of lords, the 27th of July, and in a pathetick speech, endeavoured to persuade them to pass the bill as sent up by the commons. He represented to them "that he was obliged in honour to perform what he had promised in his declaration; that he never thought of excepting any but the immediate murderers of his father; that the peace and tranquillity of the kingdom entirely depended upon the performance of his promise, which (says he) if I had not made, I am persuaded neither I nor you had now been here: I pray therefore let us not deceive those who brought or permitted us to come together, and earnestly desire you to depart from all particular animosities and revenge, or memory of past provocations, and pass this act without other exceptions than of those who were immediately guilty of the murder of my father."

Prepared by the commons. Phillips, p. 716.

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*Amendments made by the lords to the bill*

1660. commons with two amendments. The first concerned twenty persons, who by the commons bill were liable to all the penalties, it should please the parliament to inflict, death excepted, though they were not the king's judges. The lords refused their consent to this clause<sup>f</sup>, because it was contrary to the declaration from Breda. The other amendment related to the twenty judges of the late king, who had voluntarily surrendered themselves upon the king's proclamation of the 6th of June. For the lords included in the pardon, both for life and estate, these twenty, who had distinguished themselves from the rest by their confidence in the king's clemency, whereas the commons were only for granting them life, leaving them liable to forfeiture of estates, imprisonment, banishment, or such other penalties as the parliament should think proper. This was the subject of several conferences between the two houses, which in the end produced an unanimity of sentiments, according to which the act was formed. In one of these conferences, chancellor Hyde declared, that being employed in an embassy to Spain, he was expressly charged by his majesty to avow, "That the horrible murder of his father was not the act of the parliament, or people of England, but of a very wretched and little company of miscreants in the kingdom." This was so agreeable to the commons, that they ordered such of the privy council, as were members of the house, to thank the king for this just defence of the parliament and people of England. At last, the king repairing to the house of lords the 29th of August, gave the royal assent to the act of indemnity, which contained in substance:

of the commons.  
Phillips,  
p. 717.

Conference  
upon that  
subject.  
Ibid.

Act of indemnity.  
Statutes,  
12 Car. 2.  
Phillips.

Penalties against those who should use any words of reproach tending to revive the memory of the late troubles, with an absolute pardon to all who had been engaged in them, excepting the following persons, namely,

Forty-nine of those who had been the late king's judges, with this distinction that as to the twenty, who had voluntarily surrendered themselves, if they were condemned, their execution should be suspended till the king and parliament should order the same.

Oliver Cromwell, Bradshaw, Pride, and one-and-twenty others, who were dead, were made subject to confiscations, and other penalties which the king and parliament should ordain.

Phelps

<sup>f</sup> Only they agreed, that sir Arthur Haslerig, sir Henry Vane, and colonel

Lambert, should be subject to pains and penalties. Phillips, p. 717.

Phelps and sir Arthur Haslerig were put in the same condition.

1660.

Hutchinson and Lassels were declared incapable of exercising any office, and condemned to one year's forfeiture of the revenue of their estates.

It was moreover ordained, that Oliver St. John, and seventeen others named in this article, should be excluded from any benefit by this act, if they accepted, or executed any office in England, either ecclesiastical, civil, or military.

All that had given sentence of death in any of the late illegal high courts of justice, except colonel Ingoldsfy and colonel Thomlinson, were disabled from being members in any parliament, or bearing any office in England or Wales.

Those who had converted to their use any goods, belonging to the church, were excluded from the benefit of this act.

Sir Henry Vane and Lambert were excepted from pardon, both as to life and estate.

The king likewise passed on this occasion the following acts.

1. An act for confirmation of judicial proceedings from the 1st of May 1642, notwithstanding their illegality. Other acts Statutes.
2. An act for provision of monies to pay off the armies and navy.
3. An act to fix the interest of money at six per cent.
4. An act for a perpetual anniversary thanksgiving on the 29th of May, the day of his majesty's nativity and restoration.

After the king had given his assent to these five acts, he made a speech to both houses, to testify how much he was pleased with them; concluding, "I am so confident of your affections, that I will not move you in any thing that immediately relates to myself: and yet I must tell you, that I am not richer, that is, I have not so much money in my purse, as when I came to you. The truth is, I have lived principally ever since, upon what I brought with me, which was indeed your money: for you lent it to me, and I thank you for it. The weekly expence of the navy eats up all you have given me by the bill of tunnage and poundage; nor have I been able to give my brothers one shilling since I came into England, nor to keep any table in my house, but what I eat at myself. And that which troubles me most is, to see many of you

The king's speech to the parliament. Phillips, p. 718. Kennet's register.

1660. "come to me at Whitehall, and to think you must go  
 "some where else to seek your dinner. I do not mention  
 "this to you as any thing that troubles me: do but take  
 "care of the publick, and for what is necessary for the  
 "peace and quiet of the kingdom, and take your own time  
 "for my own particular, which I am sure you will provide  
 "for, with as much affection and frankness, as I can  
 "desire."

Presents  
 made by  
 the parlia-  
 ment to  
 the king's  
 brothers.  
 A vote to  
 settle on the  
 king  
 1200,000l.  
 Burnet,  
 p. 160.

The commons observing what the king said concerning his brothers, made a present to the duke of York of ten thousand pounds, and of seven thousand to the duke of Gloucester. After this, they proceeded to the settling the king's revenue, and resolved to raise it to twelve hundred thousand pounds, which was more than any king of England had ever enjoyed, except Henry VIII<sup>e</sup>. But before this could be compleated, the king came to the parliament the 13th of September, and passing some bills that were ready, they adjourned themselves to the 6th of November. The acts passed on this occasion were:

The parlia-  
 ment pro-  
 posed.  
 Divers acts.  
 Kennet's  
 register,  
 p. 254, &c.

1. An act for the speedy raising of a hundred thousand pounds for a present supply by way of land tax.

2. An act to impower and direct the commissioners in what manner to disband the army, and to pay off some part of the fleet.

3. An act for raising one hundred and forty thousand pounds, at seventy thousand pounds a month, to begin the first of November.

4. An act for regulating the bay trade.

5. An act for encouraging and increasing shipping and navigation.

6. An act for restoring some ministers to their places and confirming others in vacant places.

Duke of  
 Gloucester  
 dies.  
 Sandford.  
 Phillips,  
 p. 730.

The same day died the duke of Gloucester, the king's brother. This prince, now twenty years of age, was unexpectedly taken out of the world by the small pox. As he had very good qualities, the king his brother who loved him tenderly, appeared more concerned for this loss, than for any misfortune which had ever befallen him.

Trial and  
 execution  
 of the regi-  
 cides.  
 October.  
 State trials,  
 t. II.  
 Oct. 9—19.

During the adjournment, the king appointed commissioners for trial of the regicides. The number of those concerned in the late king's death, as judges, officers of the court of justice, and others, amounted to fourscore and one,

g It was to answer all the ordinary expences of the government. Burnet, p. 160.

one, of whom twenty five were dead, nineteen had made 1660. their escapes, seven others, for having been less engaged in the crime were thought worthy of the king's clemency, and twenty nine were condemned to die. But of these, twenty who had surrendered themselves upon the proclamation of the 6th of June, were pardoned as to life, but reserved for other penalties, as imprisonment, banishment, and forfeiture of estate. So, ten only were executed, namely, *Oct. 16, 17, Harrison, Carew, Cook, Peters, Scot, Clement, Scroop, 19, Jones, Hacker, Axtel.* What was most remarkable in the death of these men was, that not one expressed any signs of repentance, or did not think himself a martyr. Two only were prevailed with to pray for the king. They were almost all anabaptists, enthusiasts, fifth monarchy men, who believed no violence unlawful to advance the kingdom of Christ, and all men of mean birth, except Carew and Scroop.

A few days after the adjournment of the parliament, the king published a proclamation concerning religion, containing eight articles, most of which prescribed certain rules to the bishops in the exercise of their spiritual jurisdiction. The two last deserve a particular notice, because they discover that the presbyterians were not like to continue long undisturbed. The VIIth ran, that a certain number of divines should be appointed to revise the liturgy, and make such alterations in it as should be judged necessary, and that scrupulous persons should not be punished or troubled for not using it at present. The VIIIth was concerning ceremonies, to which, for the present, no person should be obliged to conform. This restriction, "for the present," clearly shews, that those who advised the king to this proclamation, had no intention to leave the presbyterians in possession of that liberty which had been promised them by the Breda declaration, and, doubtless, by general Monk, when they engaged to promote the king's restoration.

There were yet living, nine of the old bishops, who were restored to their sees without any difficulty <sup>a</sup>. Seven or eight others were newly consecrated for other dioceses; and Cosins, against whom so many complaints had been brought before the parliament in 1640, for the see of

N 3

Durham,

<sup>a</sup> Namely, Juxton of London, Pierce of Bath and Wells, Skinner of Oxford, Warger of Rochester, Roberts of

Bangor, Wren of Ely, Duppa of Salisbury, King of Chichester, and Frewin of Litchfield and Coventry.

A proclamation concerning religion. *Octob. 25. Kennet's register, p. 239.*

The bishops restored.

1660. Durham, where he had once been prebend<sup>1</sup>. Bishopricks and ecclesiastical benefices were offered to the most eminent presbyterian ministers, but all refused except Reynolds, who accepted the bishoprick of Norwich<sup>2</sup>.

Embassies,  
from divers  
parts.  
Ibid.

I shall not enlarge on the embassies to the king from divers princes of Europe, to congratulate him upon his restoration; the states of the United Provinces were the first who paid their compliments on this occasion, and at the same time, sent him several excellent pictures, drawn by the best hands.

The princess  
Dowager of  
Orange  
arrives in  
England.  
And the  
queen-  
mother.  
Her business  
at the court  
of England.  
Ibid. p. 730,  
Kennet's  
register,  
p. 240.  
R. Coke,  
Echard,

September the 25th, the princess dowager of Orange came to London to congratulate the king her brother upon his restoration. And in November arrived from France the queen-mother, who brought with her the princess Henrietta her daughter, and the prince palatine Edward, brother to prince Rupert. It is pretended, the queen endeavoured to persuade the king to marry Hortensia Mancini niece to cardinal Mazarin: but her proposal being coldly received, she advised him to pursue the negotiation already begun, of his marriage with the infanta of Portugal. Thus much is certain, she proposed to the king the marriage of the princess Henrietta with the duke of Orleans, to which she found no obstacle. If some authors are to be credited, she had two other ends in her visit. The first was to draw the king her son into the interest of France against Spain. The second, to persuade him to remove the chancellor, whom she did not love, as he himself shews in his history. But the king did not think fit to part with so serviceable and affectionate a minister to please his mother.

The parlia-  
ment meets.  
Phillips.  
Echard.

The parliament meeting the 6th of November, appointed a committee to congratulate the queen-mother on her return to England. Shortly after, the commons made a present of ten thousand pounds to each of the two princesses her daughters.

The duke of  
York's first  
marriage.  
Burnet,  
p. 163.  
Kennet's  
register,  
p. 246.  
Echard.

The duke of York had, since his return to England, married Anne, chancellor Hyde's eldest daughter, to which he had been in some measure compelled<sup>1</sup>. The young lady

<sup>1</sup> The author by mistake says, dean, he was dean of Peterborough. The rest of the new bishops were, Lucy of St. David's, Laney of Peterborough, Stern of Carlisle, Lloyd of Landaff, Wilson of Chester, Gauden of Exeter. Kennet's register. p. 223.

<sup>2</sup> Calamy, Baxter, Manton, Bates,

and Bowler, were offered bishopricks and deaneries.

<sup>3</sup> They were contracted at Breda, November 24, 1659, and privately married at Worcester house, September 3, 1660, in the night; by Dr. Joseph Crowther, the duke's chaplain. Kennet's register, p. 246.

lady proving with child, there were not wanting persons to 1660.  
dissuade the duke from so unequal a match. But the king's  
affection then for the chancellor, over ruled all consideration  
of the injury which the duke his brother, and the royal  
family, might receive from it. He signified to the duke,  
that it would oblige him not to use any shifts, and plainly  
told him, he must drink as he had brewed, to which the  
duke submitted from a motive of obedience. It may easily  
be imagined the queen-mother, who hated the chancellor,  
was not pleased with this marriage. Accordingly she long  
refused to see her daughter-in-law, and it was at the pressing  
instances of the king that she at last consented to receive  
her respects. But during her stay in England, she ever  
treated her with so much coldness, that her aversion to the  
marriage was very visible.

The parliament having, in their first session, dispatched Money  
every thing relating to the act of indemnity, applied their granted for  
next care to put the king in a condition to disband the disbanded  
army. For this purpose, several sums were granted him, the army.  
and as the money was raised, regiments were broke, so  
that this work was finished in the space of a few months.  
Thus, the army, which had so long been the terror of  
England, was reduced to Monk's single regiment. But in  
disbanding the army, the king introduced a novelty, which The king  
displeased many people. He formed, for his ordinary guard institutes  
two regiments, one of horse, and one of foot, in imita- guards.  
tion of the practice in France, and other kingdoms. R. Coke,  
This was so much like a standing army, which the English have p. 104.  
always opposed, that many began then to fear, the king  
had ill designs upon the publick liberty. His predecessors  
had no other guards than the gentlemen pensioners, esta-  
blished by Henry VII.

The disbanding of the army being in such forwardness, The vote  
the king told the parliament, it was his intention to dis- of the  
solve them in December. Whereupon, the commons, to 1200, 000l.  
give his majesty a fresh instance of their zeal, confirmed and to be settled  
renewed their former resolution, of granting the king an on the king  
annual revenue of twelve hundred thousand pounds. confirmed.  
But  
the time being too short to settle the funds on which this  
revenue was to be raised, the house thought it more proper  
to employ what remained, in preparing the bills to be passed,  
before the dissolution.

Little care has been taken to shew the reasons inducing The author's  
the king to dissolve a parliament, which had been so sa- conjecture  
tisfying to him, and expressed such zeal for his interest. upon the  
dissolution  
of this par-  
liament.

1660. It is my private opinion, that the ministry, and particularly the chancellor, looked with no good eye upon a parliament, which had so many members of that of 1640, and who, in all appearance, whatever they might pretend, had not relinquished their antient principles, concerning kingly power. They, doubtless believed it would be very difficult to manage and govern, such a parliament, at their pleasure. Besides, very probably, the chancellor, a great enemy of the presbyterians, had formed the design of depriving them of their promised liberty, which would have been impossible, if this parliament had continued. They believed therefore, that in the present favourable disposition of the people to the king, their credit would be sufficient to have a new parliament, more proper for the execution of their designs. The transactions of the next parliament confirm this conjecture. It must, however, be said for the chancellor, that though he detested the maxims of the parliament of 1640, with respect to the royal authority, yet he went not the lengths of the other side, nor believed it for the interest of England, to have a king, whose will should be a law. This is manifest, from an incident at the very time I am speaking of. A member of the commons, Mr. Alexander Popham, who had a considerable influence in the house, offered the king, that provided he was supported by the court-party, he would undertake to procure an act, for settling on him and his successors two millions a year, which would free him from any dependence on his parliament, except in extraordinary cases. The king was pleased with the proposal, and spoke to the chancellor of it, as of a project advantageous for his interest. But he bravely answered, "that the best revenue his majesty could have, was the affection of his subjects, and if he would trust to them, he would never want supplies in time of need." Nor did he rest satisfied with this answer to the king, but even took pains to undeceive the lord treasurer the earl of Southampton, who had approved of the project, and by very solid reasons, convinced him, that the success of it would be the ruin of the kingdom. It is pretended, the chancellor's opposition to Popham's proposal, was one of the chief causes of his disgrace.

Welwood,  
p. 109.  
Echard.

The bodies  
of Crom-  
well,  
and other  
rebels dug  
up  
Phillips.

The parliament, before their dissolution, ordered the bodies of Oliver Cromwell, Ireton, Bradshaw, and Pride, to be taken out of their graves, drawn on a hurdle to Tyburn, and there hung from ten a clock till sun set, and then buried

ried under the gallows. At the same time an act of attainder passed, not only against these four, but against the nineteen judges of the late king, who were fled from justice, among whom was Ludlow, author of the *Memoirs* under his name. 1660.

About the same time, William Drake, citizen and merchant of London, published a book, entitled; "the long parliament revived," in which he endeavoured to prove, that the long parliament was not yet legally dissolved. The commons brought an impeachment of high treason against the author, but had not time to bring it to a trial. A treason-able libel published. Kenner's register, P. 312, 325.

At this time likewise several officers, who had served under Cromwell, Desborough, Morgan, Overton, and several others, were arrested upon an uncertain rumour of a plot to secure the king's person, seize the Tower, and kill the queen-mother, but it did not appear that this rumour had any good foundation. A pretended plot. Id. P. 315.

At last, on the 29th of December the king came to the parliament, and gave the royal assent to the following acts: Acts. Id. P. 334-  
&c.

1. An act for levying the arrears of the twelve months assessment.

2. An act for the farther supplying several defects in the act for disbanding the army.

3. An act for six months assessment, at seventy thousand pounds per month, to begin the 1st of January.

4. An act for the better ordering the selling of wines by retail, and for preventing abuses in the mingling, corrupting, and limiting the prices of the same.

5. An act for erecting a post office.

6. An act for an impost upon ale, beer, cyder, and other liquors, to hold for his majesty's life.

7. An act for the raising of seventy thousand pounds for his majesty's farther supply.

8. An act for the attainder of several persons guilty of the horrid murder of Charles I.

9. An act for confirmation of leases and grants for colleges and hospitals.

10. An act to prohibit the exportation of wool, and fuller's earth.

11. An act for prohibiting the planting of tobacco in England and Ireland.

12. An act for taking away the court of wards, and liveries, together with tenure in capite, knights service, and purveyances,

1660. They recalled the king, but certainly that will not be thought strange. They voted a revenue of twelve hundred thousand pounds for the king, but it was only a vote which was executed by the next parliament. They passed the act of indemnity at the king's pressing instance, and which was indeed necessary. They granted the king a supply, to pay off the fleet and the army. But could this be avoided without endangering the publick tranquillity? They presented the king with, after all, an inconsiderable sum, for his occasions, and his brothers and sisters, with thirty seven thousand pounds. But was any thing more just or more natural than to enable him to maintain his household, till his revenues were settled? There is nothing therefore in the actions of this parliament which infers a disposition, to throw up the liberties of the nation. But it will be seen, that this disposition, which is groundlessly supposed in this parliament, was really and truly in the next: and that after doing too much, they were forced to alter their measures, and use extraordinary means to oppose the designs of that very king, to whom they had given an almost unlimited power. This second parliament however has not been censured, whilst the compliance of the first has been industriously aggravated. The reason of this difference is very obvious, namely, that the second parliament best follows the views and principles of the writers, who have thus remarked on the former. In short, if it be considered, that the first parliament sat only seven months after the king's restoration, and that the second continued eighteen years, it will be easily perceived, to which of the two may most justly be ascribed the design of throwing up the liberties of the nation.

Death of the  
princes of  
Orange.  
Sandford.

The conclusion of this year brought the king a new cause of affliction in the death of the princess of Orange his sister, who died of the small pox the 24th of December, at the age of twenty nine years<sup>a</sup>. She left but one son, who was afterwards king of England by the name of William III.

Other  
deaths.

This same year died William Seymour earl of Hertford, lately restored to the title of duke of Somerset. He has been often mentioned in the reign of Charles I. Doctor Hammond the famous divine, died a little before the king's reformation.

The royal  
society  
founded.  
Sprat.  
Kennet.

It was also this year that the royal society was erected by the king's letters patents, who besides granted it all the necessary

<sup>a</sup> She was buried December 29, in Henry VIIth's Chapel, Heath, p. 470.

cessary encouragement towards a discovery of the secrets of nature, and of what is most curious and necessary in natural philosophy and mechanics. 1660.

Before we close this year, it will not be improper briefly to mention the transactions of Scotland, from the time of the king's restoration.

After the king left Scotland, with an army to invade England, the English entirely conquered that kingdom under the conduct of general Monk, who served the parliament. If the king, after that, thought of Scotland, it was only to cherish the discontents, and try, by means of his adherents, to excite a revolt. For though he had been recognized and crowned in Scotland, he always considered his interests as directly opposite to those of that kingdom, or at least, of the governing party. He never loved the Scots, and his belief of their selling the king his father to the English parliament, greatly inflamed his prejudice against them, nor was it diminished by his residence in that country. His restoration to the English throne rendered him doubly master of Scotland; first, because he was her natural king, and had even been crowned there; secondly, because Scotland had been conquer'd by the English. Nothing would have been easier than to leave Scotland in dependence upon England, there being no likelihood, that the Scots would ever be able to recover their liberty. It even seems, the king was not averse to this thought, since he left Scotland to be governed by the English, more than two months after his restoration. But at last he resolved to restore that kingdom to its antient form of government. For this purpose, Monk <sup>ibid.</sup> writ in the king's name to the English commissioners who had been employed as judges there, to discontinue their functions the 22d of August; and at the same time proclamation was made, for the convening of the committee of estates, till a parliament should be called. The king named the great officers of the kingdom, and took care to choose for these posts and for his council, such as were believed most firmly devoted to him. The earl of Glencairn was made <sup>Burnet,</sup> lord chancellor, the earl of Crawford, lord treasurer, the <sup>p. 110.</sup> earl of Cassilis, justice general, the earl of Lautherdale, first secretary of state, and general Midletoun, the king's commissioner. These men, as well as those who formed the council, had been always firmly attached to the king's interest. Thus the Scots, freed from the yoke laid on them by Cromwell, were exactly in their former state, as before the troubles in 1637, that is, under the government of a king and

Affairs of  
Scotland.  
Burnet.  
Echard.

1660.

and ministers of the very same principles with Charles I. and the ministers of that time. But there was this disadvantageous difference, that they were no longer able to make themselves scared, being entirely subdued. They had soon occasion to know what they were to expect. Some of their ministers assembling for the drawing up a remonstrance concerning their grievances, were sent to prison by the committee of estates, without any examination of the nature, motive, or language, of the remonstrance, as if the bare design of presenting it had been criminal. Moreover, a proclamation was published against all unlawful assemblies and seditious writings, on supposition, that the assembly of the ministers and their petition were of that nature. This might have satisfied the presbyterians, who were the body of the Scottish nation, what was preparing for them, and that they had no remedy but submission and patience.

Id. p. 105.  
Heath.

They had still another very convincing proof. The marquis of Argyle repairing to London to pay his duty to the king<sup>o</sup>, was arrested, sent to the Tower, and afterwards to Scotland, to be tried on an impeachment of high treason. The king in his declaration from Breda, had not mentioned Scotland. So, the Scots were exposed to the resentment and vengeance of their enemies. Amongst these, chancellor Hyde was one of the most violent, as he has plainly discovered in his history of the civil wars, and, unhappily for the Scots, he was prime minister in England, and had the principal direction of the king's affairs. Some indeed of the English council were of opinion, it would be very advantageous to the king, to suffer the Scots to enjoy the benefit of the Breda declaration. But the contrary advice prevailed, whether from the king's animosity, and that of his counselors, or from the hopes of such as had faithfully served the king in his troubles, of having the estates of the condemned.

Burnet,  
p. 113.

This resolution being taken, the king summoned a parliament in Scotland, to meet the 12th of December, and published a proclamation, declaring, that he left it entirely to the parliament, to examine the conduct of his subjects of Scotland; and that after his honour was vindicated, and his prerogative

<sup>o</sup> He writ by his son to the king, asking leave to come and wait on him. The king gave an answer that seemed to encourage it, but did not bind him to say thing. Burnet, p. 106.

p Bishop Burnet says, it was done

at the instigation of the earl of Middleton and his party, "for the marquis of Argyle's craft made them afraid of him; and his estate made them desire to divide it among them," p. 106.

prerogative established, he would grant a pardon which would witness how much he desired the happiness of his people. It will appear what method he took to procure this happiness to the Scots. 1660.

As for Ireland, the king committed the government of it to sir Maurice Eustace chancellor, and the earls of Orrery, and Montrath, in quality of lords justices, till a lord lieutenant should be appointed. Affairs of Ireland. Cox.

The year 1661 was ushered in by an extraordinary event. 1660-1. This was an insurrection of some fifth monarchy men, who believed themselves bound in conscience to use their utmost endeavours to advance the kingdom of Christ on earth. As I have elsewhere spoken of these men, and as their principles are sufficiently known by the tragedies acted by them at Munster, and other places of Germany, it will be needless to give a more particular account of their tenets. The 6th of January, while the king was attending the queen-mother, and the princess his sister to Dover, in their return to France, about fifty of these men, under the conduct of one Thomas Venner, assembled in the evening in St. Paul's church-yard, and killed a man who upon demand, had answered, "for God and the king." This giving an alarm to the city, some trained bands were sent against them, whom these men quickly routed, and then marched thro' several streets, and at last retired to Cane Wood, from whence a party of horse and foot, sent by general Monk, dislodged them, and took some prisoners. But this did not prevent the rest from returning to the city, where they fought furiously, till they were obliged to take sanctuary in a house. They there defended themselves like men fearless of death, or rather, as secure from all danger, under the protection of Jesus Christ. Here it was that Venner, being wounded, and twenty of his men killed, with as many of the assailants, was taken with the rest of his fellows. A few days after they were all tried, condemned, and executed, without any confession of guilt, and persisting in their extravagances to the last. Two young men only shewed some signs of repentance. Insurrections of the anabaptists under Venner. Phillips, p. 734. Heath. Burnet, p. 160. January 17. Kennet's register, p. 361.

Though this attempt could not justly be considered as the consequence of a design formed by a whole party, and tho' the anabaptists had been all guilty, there was no reason to blame the court. The court takes occasion from this insurrection to forbid con-

q They thought it not enough to believe, that Christ was to reign on earth, and to put the saints in possession of the kingdom, but that the saints were to take the kingdom themselves.

Some of them seemed persuaded, that Christ would come down and head them. Burnet, p. 160, 161. January 10. Id. p. 357.

r Betwixt Highgate and Hampstead.

1660-1. blame the other sects, yet the court urged this insurrection to confirm the rumours of a conspiracy against the government. The king took occasion to publish a proclamation, forbidding all meetings and conventicles, under pretence of religion, and commanding the oaths of allegiance and supremacy to be tendered to all persons disaffected to the government, and in case of refusal, they were to be prosecuted on the statute of the 7th of James I.

A remark upon this subject.

The name of nonconformists applied indifferently to all sectaries.

It will, doubtless, be thought strange, that by reason of the extravagance of some anabaptists, all the other sects should be included in the prohibition of all meetings on account of religion, contrary to the express terms of the declaration from Breda. But it will be immediately seen, that the ruin of the presbyterian party was now resolved, and that pretences were seeking to execute this resolution, particularly, pretences which might create a belief, that what was done was only for the security of the king's person and government. The end proposed was to insinuate, that religion was no way concerned, but only the state, and thereby obviate the objection which would naturally be drawn from the Breda declaration, wherein the king solemnly promised, that no person should be molested for his religion. To succeed the better in this design, an admirable expedient was devised. This was to range under the same denomination, all the sects differing from the church of England, in order to impute to the whole body consisting of all these sects, what could have been imputed but to one, had they been distinguished. This denomination was, that of dissenters, or nonconformists, under which were comprehended, as well the presbyterians, as the papists, anabaptists, and other sects. Thus, by this affected confusion, all the nonconformists were charged with the faults of one of the sects comprised under that name, and, as if they had made but one body, punished without distinction, on pretence of keeping them in awe, and preventing them from disturbing the state. The catholicks, the independents, the anabaptists, were nonconformists. Precautions therefore were to be taken against the nonconformists, and consequently against the presbyterians, because their enemies were pleased to comprehend them under the same general appellation. Undeniable proofs of what I advance, will hereafter appear. The truth is, the presbyterians only were properly aimed at, whose ruin was resolved, notwithstanding the declaration from Breda. For indeed, it is not likely, that a king, who had privately embraced the Romish religion, would turn persecutor of the

catholicks.

catholicks. And the independents and anabaptists made then <sup>1660-1</sup> so inconsiderable a figure, that the king's ministers had but little reason to fear them. But though there had been cause to suspect them, why were they not distinguished from the presbyterians, who had given no room for such suspicions? All this was only to save, in some measure, the king's honour, at a time when his promises, contained in his declaration from Breda, were openly evaded. This name of nonconformists, is therefore to be considered as a very ambiguous term, which indeed signifies men who conform not to the church of England, but not in the sense which was given it, namely, of a body of men inseparably united, composed of all the dissenters, and acting with the same views, and for the same interest.

Some of the presbyterian ministers observing, they were <sup>Conference</sup> industriously confounded with sects, with whom they had no <sup>at the Savoy</sup> relation, petitioned the king for a conference between them <sup>between the</sup> and the bishops, in order to examine wherein consisted their <sup>bishops and</sup> differences, and the objections of the presbyterians to the <sup>presbyterian</sup> book of common prayer. The king granted their request, <sup>ministers.</sup> and immediately named twelve bishops, as principals, and <sup>Account of</sup> nine other clergymen as assistants; and on the presbyterian <sup>that conference.</sup> side, twelve ministers as principals, and nine others as as- <sup>London</sup> sistants, to confer together at the bishop of London's house, <sup>1661.</sup> who then lodged in the Savoy. The commission ran: <sup>Collier.</sup> "That the commissioners appointed should act for four <sup>Baxter.</sup> months, from the 25th of March, and particularly were ordered to advise upon and review the book of common prayer;—to take into their serious and grave considerations, the several directions and rules, forms of prayer, and things in the said book of common prayer contained; and to advise and consult upon and about the same, and the several objections and exceptions which shall now be raised against the same; and (if occasion be) to make such reasonable and necessary alterations, corrections, and amendments, as shall be agreed upon to be needful and expedient, for giving satisfaction to tender consciences, and the restoring and continuance of peace and unity in the churches under his majesty's government and protection—And to certify to his majesty in writing, under their several hands, the matters and things whereupon they shall so determine, to be by his majesty approved,

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1 Repin, by mistake, has put the number of the principals of each side for that of the assistants; and the contrary.

1660-1. "ved, &c." Thus the king gave to these twenty one ministers, a power, they had not desired, to decide, as well for themselves as their brethren, who were more than two thousand, and for the whole body of the presbyterians, what was necessary to be altered in the liturgy, without empowering them to meet beforehand to settle their demands, in order to an union with the church of England.

1661. From the first day of the conference, it was easy to foresee it would be fruitless. For though the ministers had already acquainted the king and the chancellor that they could decide nothing, since they were not authorised by their brethren, Sheldon, bishop of London, immediately told them, that as themselves had requested this conference, they were to produce at once all their exceptions to the liturgy in writing, together with the additional forms and alterations which they desired. The ministers answered, as they had before done to the king and chancellor, That they could decide nothing, without having first consulted their absent brethren, and received from them a commission in form. This tended to a request, that they might be permitted to meet in synod, and debate together on these matters: but this was never intended to be granted. They were therefore urged, only to declare their own sense, when it was seen, that they could not be brought to act as deputies of a body, by which indeed they were not commissioned. To this it was answered, That they were willing to give in writing their particular sentiments, provided, at the same time, the bishops would bring in their utmost concessions, that when both were compared, a judgment might be made of the success: But the bishops absolutely rejected this proposal. At last, the ministers consented to produce at once all their exceptions, reserving to themselves, however, a power to make additions according to the answers they should receive, and their offer was accepted. Whereupon, the exceptions were drawn up, and an answer given in by the bishops, who accepted a reply, and at length some slight alterations in the liturgy were agreed on. But, besides that the ministers considered these alterations as insufficient, there was an invincible obstacle to an agreement, which was, that the ministers not being commissioned, whatever they said, could be esteemed but as their private opinion.

I shall enter no farther into this conference, because, to understand it, requires a competent knowledge of the English liturgy, and the manner in which divine service is celebrated, which cannot be supposed with regard to the genera-  
 lity

lity of foreigners, for whom this history is designed<sup>t</sup>. I shall content myself therefore with some general remarks, to assist the reader to understand wherein consisted the differences betwixt the church of England and the presbyterians, and the conduct of both sides. 1661.

During the whole reign of king James, and the fifteen first years of Charles I. the presbyterians were oppressed, or, at least, may be said, not to be treated by the church of England as christian charity seemed to require. From the beginning of the parliament of the 3d of November 1640, the church of England was persecuted in her turn, and episcopacy itself at last entirely abolished. When the independents were become masters of the parliament and army, the episcopalians still continued under oppression, and though the presbyterian church government was outwardly preserved, there was nevertheless an entire liberty for all protestant sects, which the presbyterians considered as a violent persecution. This state continued till the beginning of the year 1660, when Monk forming the design of restoring the king, believed it could not be effected without a restitution of that very presbyterian parliament which had abolished episcopacy. This expedient was crowned with success; and by the united endeavours of the presbyterians and episcopalians, the king was at last replaced on the throne. The restoration of the king produced that of the church of England, which was at once in almost the same state she had been before the year 1640. There was, however, this difference, that, during the troubles, the number of the presbyterians was exceedingly increased, and thereby they were grown much more formidable than under the reign of king James, and the first fifteen years of Charles I. It was therefore the interest of the church of England, either to ruin entirely the presbyterian party, which could still raise fresh troubles in church and state, or oblige them to unite with the national church by some small concessions. And for this last purpose, the conference now mentioned seemed to be intended.

But, such conferences upon religion are seldom attended with a happy success; first, because the two parties must be equally animated with the spirit of peace and charity, which is rarely found amongst men; and, if I may venture to say it, still more rarely amongst churchmen. Secondly, because

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<sup>t</sup> See the account of this conference, London 1661. See also the dissertation at the end of the reign of

king William, in the continuation of Rapin.

1661. In these conferences, one of the parties is usually superior, and in possession of power, and therefore not very ready to quit that advantage, to be reduced to an equality. So, no success can be expected, unless one of the parties will yield every thing to the other. This recalls to my mind a saying of a French catholick, a man of wit, to a minister after the conclusion of the religious war in France: "If, said he, you had come to a composition with us while the sword was in your hand, we might have made you some concessions; but now that you are conquered, we would not yield you so much as the christening of bells." The case was much the same in England, at the time I am speaking of. We have seen the concessions of Charles I. in the treaty of Newport, with regard to episcopacy, which, if it was not entirely given up by him, was however reduced to a very small matter. But after the restoration of Charles II. the use of the surplice was of too great consequence to religion, to be relinquished. Thirdly, the animosity between the two parties, generally hinders the conferences from succeeding. The one cannot bear to receive law from the other, nor think of revoking what has been once advanced. Fourthly, instead of thinking seriously on peace, both parties seek only to surprise one another. Lastly, it too often happens, that these conferences are granted by the prevailing, to the oppressed, party, only to have it said, that peace was offered but rejected by the contrary party. There is room to believe, that in this conference all these circumstances met, therefore it is no wonder, it succeeded like the rest of the same nature; for, in short, it broke off without any effect, and, as too commonly happens, each party threw the blame upon the other. Mr. Baxter, in his relation of it, says, that the bishops were absolutely against all concessions. But in another relation it is said, the presbyterians were so obstinately attached to their opinions, that they would not recede from a single point, and that at last, upon the bishop of Durham's proposal, being required to declare in writing what they thought sinful in the liturgy, they put into the list all the articles which kept them from joining with the church of England, without one exception. They thereby showed, that they considered as sinful, all the forms and practices of the church of England, even to the use of the surplice, and by consequence their refusal of an accommodation, unless their opinions were entirely conformed to. These are the mutual accusations of the two parties, on which I am far from deciding any thing as to the truth of the facts. All I

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can say, without wronging either party, is, that the presbyterians ought to have receded from several points, which are manifestly indifferent; and that the bishops should not have scrupled to give up the same points. But people were then very far from being inclined to charity and concession.

During this conference at the Savoy, the king was magnificently crowned on St. George's day, the 23d of April.

The king crowned.  
Phillips.  
Kennet's

The parliament, which had been summoned for the 8th of May, met on the day appointed. The representatives, for the most part, were elected agreeably to the wishes, and without doubt by the influence of the court. The greatest part were high churchmen, that is, violent enemies of the presbyterians, great assertors of the minutest ceremonies of the church, and most devoted to the king and the royal prerogative. They literally followed the principles of Laud archbishop of Canterbury, which had caused the troubles in the late reign. In a word, this parliament may be said to be composed by chancellor Hyde, prime minister; and on the 20th of April created earl of Clarendon. Let it also be added, that this parliament was called the pensionary parliament, because it was afterwards discovered, that many of the members received pensions from the court. It is true, many will not allow that this was so at first, but pretend, that by length of time, and changes upon death, the new members suffered themselves to be bribed. I cannot however help remarking, that, at the very beginning, this parliament did things in favour of the king, which no other had ever done, and that it was not till afterwards that they retracted their extravagant maxims, concerning the royal prerogative. This shows, the parliament was bribed betimes, notwithstanding the insinuations of some to the contrary. However it be, it may be judged how favourable this parliament was to the king, since it continued almost eighteen years, on which account it was more justly called the long parliament, than that of 1640.

registers.  
A new parliament, and how composed.

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u For the greater splendor of this solemnity, the following titles of honour were conferred, sir Arthur Annesley, was made earl of Anglesey; sir John Grenvill, earl of Bath; Frederick Cornwallis, lord Cornwallis; sir George Booth, lord de la Mere; sir Horatio Townshend, lord Townshend; sir Anthony Ashley Cooper,

lord Ashley of Wimborne; John Crew, baron Crew; sir Charles Howard, earl of Carlisle; Denail Holles, lord Holles; Edward Hyde, earl of Clarendon; Arthur lord Capel, earl of Essex; Thomas lord Brudenell, earl of Cardigan. See Dugdale's Barons, tom. II.

1661.

As religion, whether popery, or presbyterianism, and the royal prerogative, are concerned in almost all the transactions of this reign, it is absolutely necessary to acquaint the reader with some things concerning the historians. Otherwise, they will be extremely embarrassed, when they read in some histories things quite contrary to what they read in others. My design is, therefore, by a few remarks upon this subject; first, to prevent their being insensibly, and for want of examination, biassed by the opinions or prejudices of the historians. Secondly, to incline; and thirdly, to assist them, in some measure, to make this examination.

Remark upon the historians of Charles II.

There are three sorts of authors, who have writ the history of this reign. The first are those, who profess to be high church with regard to religion; and with respect to the government, ascribe to the king an almost unlimited power, provided the king be of their party. These are, in a word, what are called the high fliers, or rigid Tories. They are good protestants, but however, much less enemies of the papists than of the presbyterians. For hardly will they allow the latter to be christians, because they have no bishops. Now, according to their principles, no valid ordination can be had without bishops, and consequently no valid administration of the sacraments; whence it follows, that presbyterians baptized by ministers unordained by bishops, are not truly baptized.

There is another set of writers of this reign, who, being protestants, embrace not the extravagant principles of the former, either concerning the church or the government. These are of the number of those who are called whigs, among whom there is a mixture of churchmen and presbyterians.

Lastly, there are popish historians, whose tenets and principles are sufficiently known.

Each of these authors has writ the history of this reign according to his principles; for this reason what is praised and approved by one historian, is blamed and censured by another. For instance, as to this second parliament, some openly insinuate, that the first years transactions, whether for extending the royal power, or oppressing the presbyterians, were agreeable to reason, justice, and the good of the kingdom; but what was done, after the breach with the king, was only the effect of corruption and cabal. Others on the contrary maintain, that this parliament's zeal, whether for the king or against the presbyterians, was an ex-

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1661.

travagant zeal, which threw them upon measures very detrimental to the nation, and unavoidably engaged them to favour the ill designs of the court; but perceiving at last the ill use the court made of this disposition, they espoused the true interests of the kingdom, in opposing the king's designs.

The popish historians are of the same principles with the high flying tories concerning the government. But, whereas king Charles's design of introducing popery into England is very unwillingly owned by the tories, the papists, on the contrary, make it a glorious design, as being very just and religious.

A man must therefore prepare himself to meet these contrarieties, if he reads several histories of this reign, and to chuse that scheme which appears most coherent and best supported. For this purpose it will be proper to adhere only to plain facts, without regarding the frequent insinuations of the historians, most of whom support without ceremony their own scheme, even in the facts they relate. I own this is difficult: but I suppose the reader's search is after truth, which he will never attain, if he implicitly follows, without examination, the first historian which comes in his way. Wherefore, I thought it proper to inform him before hand of what he is to expect, and withal to leave him at liberty to examine my scheme as well as that of others. But to return to the parliament.

The king going thither the 8th of May, made a speech to both houses, in which, after some expressions of his great affection for his people, he recommended two bills, which he had prepared to confirm the act of indemnity. He repeated the same words he had said to the last parliament. Adding, that they might be as severe as they pleased against new offenders, but he should not think him a wise man or his friend, who should persuade him to infringe the act of oblivion, or to consent to a breach of a promise so solemnly made when he was abroad. Lastly, he communicated to them his intended marriage with the infanta of Portugal, which had been resolved with the approbation of his whole council.

The king's speech to the parliament. Kennet's register, p. 434.

He acquainted them with his marriage.

The earl of Clarendon, lord chancellor, afterwards enlarged on the particulars mentioned by the king in his speech, but chiefly upon two points untouched by the king. The first related to the seditious sermons of certain preachers, which tended to renew the old troubles, and whose licentiousness it was necessary to curb. The second point on which

The chancellor's speech. Id. p. 435, &c.

1661. he insisted, was the late insurrection, which he aggravated in the strongest expressions, intimating, that by intercepted letters it might be concluded, that the combination reached very far, and if the vigilance of the lord mayor had not prevented it, the city had been in danger of being burnt to ashes. He did not name the authors of the seditious sermons, because his design was not to accuse this or that person, or any particular sect, but only to obtain a general order against the preachers who were not of the church of England. As to the pretended conspiracy discovered, as he assured, by a multitude of intercepted letters, it does not appear that any one was prosecuted in consequence of these letters, or that others besides Venner and his companions, were proved to be concerned in it. It is therefore manifest, this speech tended only to incense the parliament against the sectaries or nonconformists in general, under colour of providing for the safety of the king and the state, in a supposition, that it was only from them any danger could be feared. This will appear hereafter to be more than a mere conjecture.

Remark on it.

Kenner's register, p. 442.

The commons ordered to receive the sacrament in the church of England. Id. p. 446. Several acts burnt by the common hangman. Id. p. 450. Phillips. May 29.

Sir Edward Turner, the duke of York's attorney general, being chosen speaker of the house of commons, at the recommendation of the court, both houses unanimously voted their thanks to the king for the gracious communication of his resolution to marry, and went in a body to congratulate him. Then the house of commons ordered all their members to receive the sacrament according to the prescribed liturgy within a certain time, upon pain of being expelled the house.

The 20th of May the two houses jointly ordered, that the writing called the solemn league and covenant should be burnt by the common hangman; which was performed with great triumph. Three days after, the following acts were also ordered to be burnt. The act for erecting a high court of justice for trying and judging Charles Stuart, &c. The act for subscribing the engagement against a king and house of peers; the act for declaring the people of England to be a commonwealth, &c. The act for renouncing the title of Charles Stuart, and another for the security of the protector's person.

The zeal of the two houses breeding a fear in the republicans, that the act of indemnity passed in the late parliament, would not be sufficient for their security, if it was not confirmed by the present, they addressed the king for this confirmation. Upon their petition, the king writ to both houses the 2d of June, earnestly recommending to them to

Kenner, p. 478.

pass the bill he had prepared for them. He even told them plainly, however necessary the bills might be, that were ready for the royal assent, he had no mind to pass them till the act of indemnity was likewise presented to him. This letter having produced the desired effect, the king came to the parliament the 8th of July, and passed the following acts.

An act to confirm the act of indemnity passed in the late parliament. Acts.  
Statute b.  
Kennet's  
register,  
p. 492.

An act to impower the king to receive from his subjects, a free and voluntary contribution for his present occasions.

After this, the king made a short speech to both houses, to remind them of his declaration from Breda, and of that signed by his adherents when his restoration began to be talked of, in which they promised to renounce all memory of former unkindnesses, and vowed all imaginable good will to each other. "Therefore, (continues he) let it be in no man's power to charge me or you with breach of our word or promise."

These two acts being dispatched, the parliament proceeded with vigour in finishing the other bills which were before them, and in particular, one for the confiscation of the estates of twenty one regicides deceased, and to punish three, who were spared as to life, but liable to other penalties. Orders concerning some  
regicides.  
Id. p. 492.  
Heath,  
p. 501. These were the lord Monson, sir Henry Mildmay and Robert Wallop. It was ordered, that they should on January 30, be drawn upon sledges with ropes about their necks to the gallows at Tyburn, and from thence conveyed to the Tower, there to remain prisoners during their lives.

The 30th of July the king came to the parliament, and gave the royal assent to several acts.

1. An act for the safety and preservation of the king's person and government; which had three remarkable clauses. Other acts.  
Statute. b.

The first, that if any person should compass imagine or intend the king's death, destruction, or bodily harm, to imprison or restrain his royal person, or depose him, or should levy war against him within or without his realm, or stir up any foreign power to invade him; or should declare or express such his wicked intention, by printing, writing, preaching, or malicious and advised speaking, he should, being thereof legally convicted, be adjudged a traitor.

The second, that if any man should maliciously or advisedly publish or affirm his majesty to be an heretick or

1661. a papist, or that he endeavoured to introduce popery; or should stir up the people to hatred or dislike of his royal person or government; that every such person should be made incapable of any office or employment either in church or state.

The third, that if any man should maliciously and advisedly affirm, that the parliament, begun in Westminster the 3d of November 1640, is yet in being, or that any covenant or engagement since that time imposed upon the people, doth oblige them to endeavour a change of the government either in church or state, or that either, or both houses of parliament have a legislative power without his majesty, that then every such offender, being legally convicted thereof, should incur the penalties of a præmunire mentioned in the statute of the 16th of Richard II.

The other acts now passed were:

An act to repeal the law made in the 17th year of Charles I. for the exclusion of the bishops from the house of peers.

An act to prevent tumults and disorders committed under pretence of preparing, or presenting petitions to the king or parliament.

An act to declare the sole right of the militia to be in the king.

An act to empower his majesty to dispose of the land forces.

An act for the regulation and government of his majesty's navies and forces by sea.

An act to impose certain pains and penalties upon the persons or estates of those who had a hand in the horrible murder of the late king.

An act for the collection of the great arrears of the duty of excise.

An act for providing necessary carriages for the king in all his progresses and removals.

After these acts had received the royal assent, the king thanked the two houses for them, and particularly for that which restored the bishops to their seats in parliament, and that which concerned the militia. This done, he gave them leave to adjourn to the 20th of November.

When the king called this parliament, he had no intention to assemble the clergy in convocation, believing, the Savoy conference was equivalent to a convocation. But dr. Heylin, in a letter to a minister of state, showed, that this conference ought not to hinder the king from assembling the clergy.

The parliament adjourned. A Convocation. Kennet's register, p. 480, &c. Collier.

clergy. He alledged, among other reasons, that the clergy could not be bound by the acts of the Savoy assembly. This was precisely what the presbyterian ministers, appointed by the king, had alledged, to show they had no power to act for their brethren. This convocation did nothing considerable, except granting the king a benevolence by virtue of the act above-mentioned.

While these things passed in England, the parliament in Scotland proceeded with no less vigour. Being assembled in January, they began first with abrogating and annulling the solemn league and covenant of the two kingdoms; and commanded that none of his majesty's subjects presume, on pretence of any authority whatsoever, to require a renewing, or swearing to the league and covenant, without his majesty's special warrant and approbation.

The next declared the power of the militia to be in the king alone, and the act of the 16th of January 1647, by which the late king was delivered to the English, to be infamous, disloyal, and contrary to all laws divine and human.

Episcopacy was restored in Scotland, and for that purpose, four presbyterian ministers, Sharp, Hamilton, Fairfoul, and Leighton came to London, where, after being ordained deacons and priests, they were consecrated bishops by the bishop of Winchester, with two other assisting prelates. All four renounced their first ordination as invalid, and before their departure from Scotland, obtained from the king a declaration of his pleasure to restore in Scotland the government of the church by archbishops and bishops, as it was in the year 1637. Upon this declaration, the privy council of Scotland strictly discharged all ecclesiastical meetings at synods and presbyteries, &c. till they should be authorised by the archbishops and bishops. An act was also passed in the Scotch parliament to prohibit all meetings and conventicles in private houses for religious worship. By another act the right of patronage was revived. And lastly, by another, it was ordained, that all persons in any publick office, should sign a solemn declaration against the national covenant in 1638, and the solemn league and covenant in 1643, in which they declared it unlawful to subjects upon pretence of reformation, or any other pretence

\* In this session, the papists petitioned the parliament for the repeal of the penal laws against them, and for

toleration of their religion. See Kennet's register, p. 472, &c.  
x Rapin, by mistake says, Barwel.

1661. *pretence whatsoever, to enter into leagues and covenants, or take up arms against the king, or those commissioned by him.*

*The mar-  
quis of Ar-  
gyle behead-  
ed at Edin-  
burgh.  
State trials,  
c. H. p. 430.  
Burnet.  
May 11.*

The marquis of Argyle having been sent prisoner to Edinburgh, was there tried, and condemned; and beheaded the 27th of May. Many believed, that revenge, and the avarice of some persons, who hoped for the confiscation of his estates, were more powerful motives for his sentence, than justice. A few days before his death, the remains of the unfortunate marquis of Montrose were solemnly interred, and the head of the marquis of Argyle was set up in the place where his stood.

*June 7.  
Heath.*

In England the bodies of Sir Charles Lucas and Sir George Lisle, who were shot at Colchester in 1648, were likewise honourably interred.

*Complaints  
of the royal-  
ists.  
Burnet.  
p. 165.  
Richard.*

During the recess of the English parliament, the cavaliers or royalists made great complaints of the king's ingratitude, for suffering them to perish with hunger, while, by the act of indemnity, he procured his enemies the secure enjoyment of immense riches, acquired by illegal means. The city swarmed with libels on this subject. One, amongst the rest, writ by L'efrange, told the king bold truths with great freedom. But the king thought not proper to take notice of them, believing, the least he could do for the loyal sufferers, was to let them complain, since it was neither in his inclination nor power to reward them.

*Removers of  
a conspiracy.  
Heath.*

To suspend these complaints, the city was filled with rumours of projects and plots against the king's person and government<sup>1</sup>. But many believed this only an artifice to incense the parliament against the nonconformists in general, and the presbyterians in particular, and afford a pretence to proceed against them. The presbyterians were always confounded with the other sects, under the denomination of nonconformists, who were charged with ill intentions against the government, though hitherto the presbyterians had given no cause of suspicion, at least, nothing was proved against them. The most plausible thing urged, was, that the independents, anabaptists, and the other republicans, seeing

<sup>1</sup> Particularly of the 'earl of Middleton. See Burnet, p. 124. The marquis was condemned, as guilty of high treason, upon some letters formerly writ by him to Monk, wherein he expressed a great zeal for the republican

cause. These Monk basely sent down to the marquis's judges. Id. p. 125.

<sup>2</sup> Of which the authors were, Praife God Barebone, colonel Salmon, major Wildman, alderman Ireton, &c. Heath, p. 500.

being the presbyterians no better treated than themselves, 1661.  
 formed great projects, in hopes of being joined by the presbyterians at a proper time. Thus much is certain, the project of the act of uniformity, which will be mentioned hereafter, was now formed, and the rumours, true or false, of plots carried on by the nonconformists, might be very useful to palliate the breach of the Breda declaration, under colour of providing for the safety of the state. For the presbyterians could not be attacked on account of religion, without a most manifest violation of the king's promise.

The earl of Sandwich, vice-admiral, being sent with a *Alger* fleet to Lisbon, to bring home the new queen, appeared *expedition* before *Alger* to make a treaty with the Corsairs, or reduce *proves abortive* them to reason by force. But he found them so well prepared, that he was obliged to return to Lisbon without any *Heath* thing done. *p. 500.*

The parliament re-assembling the 20th of November, the king made a speech to both houses, without any necessity, as they had only been adjourned. He gave for reason, that it was to have the pleasure to see the bishops restored to their places in parliament. He then desired the commons, "To think seriously upon settling his revenue, *Kennet's register.*

"and providing for the expences of his navy; adding, "that he asked nothing for himself, but as his interest was united with that of his people." He told them, "that he was willing they should make a full inspection into his disbursements and receipts, but would not have them believe any loose discourses, of giving away eighty thousand pounds in a morning. That he had much more reason to be sorry, that he had not to reward those who had ever faithfully served the king his father and himself, than ashamed of any bounty he had exercised towards any man." After this, he told the two houses, "that he was sorry to find, the general temper and affections of the nation were not so well composed as might have been expected, after such signal blessings from God Almighty upon all, and after so great indulgence and condescensions from him towards all interests. That there were still many wicked instruments; who laboured night and day to disturb the publick peace, and make all people jealous of each other. That it was worthy of their care and vigilance, to provide proper remedies for the diseases of that kind; and if they found new diseases, they must study new remedies. That the difficulties which concerned religion were too hard for him, *The parliament meets. The king's speech to them. Id. p. 504.*

"and

1661.

“and therefore he recommended them to their care and deliberation, who could best provide for them.”

Remarks  
upon this  
speech.

When the king published his declaration at Breda, and expressed so much zeal for passing an act of indemnity, agreeably to this declaration, he did not think it out of his power to give a positive promise, that no person should be molested on account of religion. But, in all appearance, since the elections of the members for this new parliament had been made, according to the wish of the ministry, in favour of high church, it was suggested to the king that the best expedient to obtain whatever he desired, was to sacrifice the nonconformists to the parliament. It is not very strange, that a prince of his character, who had secretly embraced the Roman catholic religion, or, to speak more properly, had no religion at all, should not think it a point of honour to support the presbyterians, at the hazard of losing the affection of his parliament. He visibly begins therefore, in the conclusion of this speech, to use evasions; and by talking in general of persons, labouring to trouble the peace of the kingdom, furnishes his parliament with a pretence of treating the nonconformists with rigour, as disturbers of the publick tranquillity. As to religion, he leaves the care of it to the parliament, as of a thing too difficult for him. By this he entirely departs from his Breda declaration, and the act of indemnity, which till now he had so much insisted on.

The pres-  
byterians per-  
secuted.

This speech was as the signal to the persecution, which, soon after, broke out against the nonconformists, and particularly the presbyterians, for they alone were properly aimed at. We shall see presently, that upon rumours of conspiracies forming against the state by the nonconformists, without distinction of any sect, acts were grounded, which manifestly destroyed the Breda declaration, as well as that published by the royalists, when the king's restoration was in view.

I shall briefly state the argument used to support this persecution. It is true, the king generously pardoned the offences committed before his declaration: but he did not promise to pardon such as should be afterwards committed. Now, since the king has been restored, the nonconformists are plotting to disturb the government. It is therefore necessary to take all possible precautions, to disable them to execute their designs. In answer to this argument, it is needless to urge the slender foundation of these pretended plots, for which no man was ever punished, or even pro-  
secuted.

secured.<sup>a</sup> It suffices to remark, that it supposes, what is entirely false, that the nonconformists made but one body, because their enemies had been pleased to give them all one common name. And yet, upon this supposition so notoriously false, it was thought lawful, to deprive all the sects, and particularly the presbyterians, of the benefit of the declaration from Breda, only because their enemies were pleased to confound them with the independents and enthusiasts, under the same appellation of nonconformists. I do not think it necessary to stay any longer to demonstrate the weakness of this argument. But it was sufficiently valid, for men who had the power in their hands.

r661.

To prepare the way for the designed alteration, solely founded upon rumours of an imaginary conspiracy, the parliament thought proper to support these rumours, by a petition to the king for a proclamation, to order all officers and disbanded soldiers to depart twenty miles from London. <sup>the petition.</sup> <sup>Kenner's register,</sup> <sup>Id. p. 562.</sup> It was natural to infer from thence, that there were grounds for fear, which was indeed the design of the proclamation.

The same day, the commons voted the king a supply of twelve hundred thousand pounds for his present occasions, that is, to be disposed of as he pleased. This was the first fruits of his condescension, with regard to the Breda declaration. <sup>A supply granted on the king's petition.</sup> <sup>Ibid.</sup>

Then, the parliament resumed the affair of the nineteen regicides, who had voluntarily surrendered themselves upon the proclamation of the 6th of June, and yet had been sentenced to death. They were asked what they had to say, why judgment should not be executed upon them? they alleged the king's proclamation, on which they had relied, believing it was his intention to pardon them. But this did not prevent a bill from being brought in for their execution, which was read twice, and then dropped, probably, on the king's powerful solicitation in favour of the condemned, who could not have been executed without great prejudice to his honour and faith. <sup>Some regicides called before the parliament.</sup> <sup>Nov. 23.</sup> <sup>Id. p. 563.</sup> <sup>567.</sup> <sup>Hearth, p. 500.</sup>

The rumours, as I said, of plots, were absolutely necessary to serve for foundation to what was intended to be done. The earl of Clarendon had mentioned these plots at the close of the late parliament, and the king at the opening of this. To strike a greater blow, the earl of Clarendon, <sup>The chancellor supports the rumour of the plot.</sup> <sup>Kenner's register,</sup> <sup>a con-</sup> <sup>p. 520.</sup>

<sup>a</sup> One John James, a small-coal-man, was hanged and quartered for it, on November 27, or rather for being

engaged in Venner's business, for he was one of his accomplices. <sup>Hearth,</sup> <sup>p. 502.</sup>

1661. a conference between the two houses, affirmed positively, that there was a real conspiracy, which had been forming ever since March, to disturb the peace of the kingdom. He named several persons engaged, and gave an exact account of the manner how it was to be executed. He said, though the design seemed disconcerted as to the city of London, where the officers and disbanded soldiers had been invited to repair the 11th of the instant December, it was still pursued in the country. The lords, upon this information, named a committee of twelve of their house, to whom they desired the commons to add a proportionable number of their members, to examine the horrible design, that the execution of it might be prevented, and the peace of the kingdom secured.

A remark  
upon this  
Subject.

Certainly, it cannot but appear strange to all, who are not prejudiced by passion or party, that a plot, of which the court so well knew all the circumstances, the parties engaged, the day of its designed execution in London, the endeavours still used to promote it in the country, and concerning which a multitude of letters had been intercepted, that this plot, which was examined by a numerous committee of both houses, should not be attended with the death of any of the accomplices, nor even with the prosecution of one single person. It was, however, upon this sole foundation, that the corporation act, of which I am going to speak, and all the proceedings against the nonconformists were built.

Kennet's  
register,  
p. 582.  
Act.  
Statute b.

The 20th of December, the king came to the parliament, and passed the two following acts :

An act to grant the king twelve hundred and sixty thousand pounds, for his present occasions, to be levied by a monthly tax of seventy thousand pounds, for eighteen months.

An act for regulating corporations.

This act, which was called the corporation act, ran, That in order to perpetuate the succession in corporations, in the hands of persons well affected to the government, it was ordained, that every mayor, alderman, common-council-man, or any other officer in a corporation should be obliged, besides the common oath of allegiance and supremacy, and a particular declaration against the solemn league and covenant, to take an oath, declaring, " that it was not lawful, upon any pretence whatsoever, to take arms against the king; and that he did abhor that traitorous position,

Oath in-  
joined by  
the corpo-  
ration act.

"position, of taking arms by his authority against his person, or against those commissioned by him." 1661.

If the oath had imported, that it is not lawful, on any pretence, to take arms against the established government, there had been nothing in it extraordinary. But in this oath, the king was supposed to be sole master of the government, which is manifestly false, since he can neither make nor repeal a law, without the concurrence of the parliament, and consequently, the sovereign authority does not reside in him alone. This supposition was exactly like that of the parliament of 1640, that the supreme authority resided in the people, or their representatives in parliament, the absurdity of which was exposed by Charles I. in almost every one of his papers. They are both equally false, and to show that the people of England do not think them true, we need only observe, the absurd consequences they have produced, and which have been constantly rejected by the English. By the maxim of the parliament of 1640, that parliament believed, they had a right to abolish monarchy, and change the established religion. By the maxim contained in this oath, James II. believed he had a right to introduce a new religion, and establish an absolute power. But the English nation thought themselves bound by neither the one nor the other of these extravagant maxims. Charles II. was restored, notwithstanding the decision of the parliament of 1640; and James II. was dethroned, notwithstanding the decision of this parliament, which had ordered the oath we are speaking of, though the king had concurred to the act. It is impossible in England to mark out the degree of obedience due from the people to the king, or the parliament, when they are disunited. The reason is evident, because in their union consists the essence of the government. It is in the king and parliament united together, that the absolute power, necessary to all governments, is lodged. Wherefore, to say, that "upon any pretence or reason whatsoever," it is not lawful to resist the king or the parliament, is, properly throwing up the liberties of the nation to the mercy of the one or the other. The high-churchmen, of which this parliament was principally composed, had then extraordinary ideas of the royal authority. And I know not whether they have yet entirely lost them. But it is certain, many of them at last opened their eyes, and saw the dangerous consequences of their maxims, and even this parliament did not think fit to admit them all, as will hereafter appear.

1661.

When these acts were passed, the parliament was adjourned to the 10th of January.

Death of the  
queen of  
Bohemia.

Elizabeth Stuart, daughter of James I. electress palatine, and queen of Bohemia, died at London the 13th of February<sup>b</sup>.

1661-2.

Report of  
the conspi-  
racy made  
by the chan-  
cellor.  
Parker.  
Kennet's  
register.

The parliament being assembled the 10th of January, the first thing the lords did, was to receive the report of the committee, appointed to examine the conspiracy, supposed to have been forming now almost a year, but which had yet produced no effect. The earl of Clarendon, who made the report, says, that two persons, namely, Wildman and Salmon, were particularly engaged, and that a list of one hundred and forty officers of the late army had been found with Salmon; that it was further discovered, that the conspirators were to have had a meeting at London the 10th of December, and designed to have secured Shrewsbury, Coventry, and Bristol, by the end of January: That where they were prevalent, they were to begin with horrible assassinations, which moved one of them to relate, that the fugitive judges of the late king were entertained in France, Holland, and Germany, and held a strict correspondence with the English conspirators, and were encouraged by foreign princes: that they had bought a large quantity of arms, and boasted, if they could once set foot in England, they should not want means to carry on their work. That this had been discovered by one of the accomplices, and confirmed by such intelligence from abroad, as never failed: that many met at Huntington, and rode about the town in the night, to the great terror of his majesty's good subjects: that it might be wondered, that some proposals were not made to remedy the impending evil, but the king, having conferred with the duke of Albemarle, had ordered two troops of horse to Shrewsbury, and as many to Coventry, who, in their way, had dispersed a great knot of thieves, and taken twenty: that a rumour was spread, that the appointing this committee was only a plot of the court to govern by an army, but the committee was very sensible of the reality of the danger, and hoped the two houses would be so too: that since their

enemies

<sup>b</sup> She came from the Hague to London, May 17, 1661, and died February 13, 1661-2, aged sixty-six years. — She was interred in Westminster abbey, in the same vault with prince Henry her brother. She had eight sons, and five daughters, of whom the youngest surviving, the princess Sophia, mother of the late king George, was, in 1701,

declared heir to the crown of Great Britain. — March 9, died, the famous cardinal Mazarin. Kennet's register, p. 395. And November 29, Brian Walton bishop of Chester, the compiler of the Polyglot Bible. This year also died sir Arthur Hasleig, in the Tower.

enemies were united for their destruction, they should also be united for their own preservation. 1661-2

When it is considered, that after a strict examination of this conspiracy by a numerous committee of both houses, the whole amounted only to a list of one hundred and forty officers found upon a man, without any other circumstance; and concerning one of the accomplices not named; to secret intelligence that never failed; to a company of men assembled about Huntington, in the night for some unknown reason. That not any of these pretended conspirators, who might have been known by one of their party who had discovered the whole plot, was either punished or prosecuted for this supposed crime: that in short the noise of this conspiracy ceased at once after the uniformity act had passed: A remark upon this subject. P. 184. when these things, I say, are considered, who can help thinking it a mere invention, to give some colour to this act. The government durst not attack the presbyterians directly on account of their religion. The declaration from Breda was too express on that article. But they were to be charged with new crimes, in order to be deprived of the benefit of that declaration. They were not even accused of attempting to disturb the state, since the king's restoration; but the nonconformists in general were accused in order to punish the presbyterians, as if they made but one body with independents, anabaptists, enthusiasts, because to all these sects was given the common name of nonconformists.

The first of March, the king sent for the commons to Whitehall, and reproached them, though very civilly, with having done nothing towards the settling of his revenues. He artfully insinuated, that the late troubles had principally been owing to the wants and necessities of the crown, thereby intimating, that this had obliged his father to stretch the royal prerogative. He added, that there was still in the kingdom a republican party, who promised themselves a second revolution, and therefore the only way to disappoint their hopes, was to enable the crown to support itself, and secure them. He continued his speech in this manner:

" — Gentlemen, I hear you are very zealous for the church, and very sollicitous, and even jealous that there is not expedition enough used in that affair. I thank you for it, since I presume it proceeds from a good root of piety and devotion: but I must tell you, I have the worst luck in the world, if after all the reproaches of being a papist while I was abroad, I am

1661-2. "suspected of being a presbyterian now I am come home. I know you will not take it unkindly, if I tell you that I am as zealous for the church of England, as any of you can be, and am enough acquainted with the enemies of it on all sides; that I am as much in love with the book of common prayer as you can wish, and have prejudice enough to those who do not love it, who, I hope, in time will be better informed, and change their minds; and you may be confident I do as much desire to see an uniformity settled as any amongst you. I pray trust me in that affair: I promise you to hasten the dispatch of it with all convenient speed; you may rely upon me in it. I have transmitted the book of common prayer, with those alterations and additions, which have been presented to me by the convocation, to the house of peers, with my approbation, that the act of uniformity may relate to it: so that I presume it will be shortly dispatched there: and when we have done all we can, the well settling of that affair will require great prudence and discretion, and the absence of all passion and precipitation."

The king's design in this part of his speech, was to obtain, that the execution of the act of uniformity, when it should be passed, might be left entirely to him, in order to have it in his power to dispense with whom he pleased. This he afterwards discovered in words more clear and precise, though the parliament would not grant his desire.

Act against  
the quakers.  
Statute b.  
Kennet's  
register,  
p. 675.  
May 2.

The commons being returned to their house prepared several bills, and amongst the rest one against the quakers, for refusing the oaths. Not that they believed themselves freed by this refusal from the obligations imposed by these oaths, but because they considered all oaths as unlawful. This act and another for the repairing of the streets and high ways in and about London, were passed by commission.

Id. p. 687,  
&c.

At last, on the 17th of May, the king coming to the parliament,

There were added some new collects, as the prayer for all conditions of men, and the general thanksgiving, and the prayer for the high court of parliament, and a new office was made for baptism of such as were of riper years, and two more, one for the 30th of January, the other for the 29th of May. In the collect for the parliament, the king was styled, our most

religious king, an epithet that gave great offence, and occasioned much indecent railery. Some new holidays were added also, as St. Barnabas, and the conversion of St. Paul, and more lessons were taken in out of the Apocrypha, particularly the story of Balaam and the dragon. Burnet, p. 183. See Kennet's register, p. 585, and Nicholls.

parliament, gave his assent to several acts, of which I shall only mention the most important. 1661-2.

An act for the uniformity of publick prayers, and the administration of the sacraments. Other acts, Statute b.

An act for the better regulation and ordering of the standing forces of the nation.

An act for laying a perpetual and annual tax of two shillings on every chimney hearth in each house, Alms-houses excepted.

An act to impower his majesty to levy, for the next ensuing three years, a tax of seventy thousand pounds per month, if necessity shall so require.

Moreover, the house of commons ordered sixty thousand pounds which exceeded the sum of twelve hundred thousand pounds, granted by a former act, to be distributed among the poor cavaliers, who had been sufferers in the late troubles.

After the passing of these acts, the parliament was prorogued to the 18th of February.

Amongst these acts three are particularly remarkable.

By the act of uniformity, every minister was obliged, on pain of losing all his ecclesiastical preferments, to conform to the worship of the church of England, according to the new book of common prayer, before the feast of St. Bartholomew next, from whence it was called the Bartholomew act. Act of uniformity. Ibid. Kennet's register, P. 676, &c. Every minister was also obliged to sign the following declaration. "I do here declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the book intitled, the book of common prayer, &c." Besides this, every person was obliged to sign a declaration contained in the militia act, in which declaration he was not only to promise to conform to the liturgy of the church of England, but likewise to renounce the solemn league and covenant, declaring it to be an unlawful oath, and imposed upon the subjects of this realm against the known laws and liberties of the kingdom.

The penalties annexed to this act were many, particularly, — "No person should be capable of any benefice, or presume to consecrate and administer the holy sacrament of the Lord's supper, before he be ordained priest by episcopal ordination, upon pain to forfeit for every offence the sum of one hundred pounds."

I shall make but three observations upon this act; the first shall be in the very words of the declaration from Bre- Remarks upon the act.

"And because the passion and uncharitableness of the  
P 3 "times

1661-2. " times have produced several opinions in religion, by which  
 " men are engaged in parties and animosities against each  
 " other, which, when they shall hereafter unite in a free-  
 " dom of conversation, will be composed or better under-  
 " stood; we do declare a liberty to tender consciences, and  
 " that no man shall be disquieted or called in question for  
 " differences of opinion in matters of religion, which do not  
 " disturb the peace of the kingdom; and that we shall be  
 " as ready to consent to such an act of parliament, as upon  
 " mature deliberation shall be offered to us for the full grant-  
 " ing that indulgence."

1662. Let this clause be compared with the act of uniformity, and it will easily be seen, what care the king's own ministers, who were the real authors or promoters of the act, had of his honour, and what regard he himself paid to his promise. Notwithstanding all this, some did then and do still consider this act as the great support and bulwark of the church of England, and extol the authors as deserving the everlasting praises and blessings of the church; whilst others, perhaps, no less sincerely attached to the church of England, looked upon it as her reproach.

My second remark is, that to this came the promises made to the presbyterians by the king's party, upon the assurance of which they had so cheerfully laboured for his restoration, according to the directions received from his friends.

My third observation is, that by an artifice the most gross, not only conspiracies were invented which had no reality, but which, though they had been true, could not have been imputed to the presbyterians, who were not to answer for the crimes of the other sects.

It will perhaps be imagined, that being a presbyterian, I speak out of interest and passion. But I protest, I have always had, and still have, a profound respect and extreme veneration for the church of England, to which I always conformed during my residence there, and am ready to do it again, were I to return. But this does not oblige me to consider all her members as free from failings, passions and prejudices; especially on the present occasion, wherein, as a historian, truth requires of me to shew clearly so material a point of history, as the treachery which was used to the presbyterians. For at their ruin it was that the uniformity act was principally levelled<sup>d</sup>. The

<sup>d</sup> Burnet observes, that the favourites the king, thought a toleration was  
 ers of popery, among whom he reck- the only method for settling it a going  
 all

The act concerning the militia, intituled, "An act for 1662.  
the better regulating and ordering the standing forces  
of the nation," contained amongst others the following Militia act.  
clause.

"Forasmuch as within all his majesty's realms and domi-  
nions, the sole and supreme power, government, com-  
mand and disposition of the militia, and of all forces by  
sea and land, and of all forts and places of strength, is  
and by the laws of England ever was, the undoubted right  
of his majesty, and his royal predecessors, kings and  
queens of England; and that both or either of the houses  
of parliament, cannot, nor ought, to pretend to the same;  
nor can, nor lawfully may raise, or levy any war offensive  
or defensive against his majesty, his heirs or lawful succe-  
sors, &c."

It was ordained by this act that all lord lieutenants, deputy An oath  
lieutenants, officers, and soldiers, should take the following enjoined.  
oath:—"I do declare, and believe, that it is not lawful  
upon any pretence whatsoever to take arms against the  
king; and that I do abhor that traiterous position, that  
arms may be taken by his authority against his person, or  
against those that are commissioned by him, in pursuance  
of such military commissions."

When in the latter part of the oath the words, "com-  
missioned by him," came to be debated in the house of Echard.  
commons, a great lawyer\* moved, that the word "law-  
fully" might be added to make all clear. But the attor-  
ney general sir Heneage Finch answered, "That it was  
not necessary, for the very word commission imported it;  
since if it was not lawfully issued out to lawful persons  
and for a lawful reason, it was no commission." And the  
whole house assented to this interpretation. The same diffi-  
culty, offered in the house of lords<sup>f</sup>, was removed in the  
same manner<sup>g</sup>. But in supposing that by commissioned  
could be only meant lawfully commissioned, where would  
have been the hurt to add the word "lawfully" in order to  
take away all obscurity, if the parliament had intended to  
put any restriction upon the royal power?

P 4

Suppose

all over the nation. And nothing  
could make a toleration for popery pass,  
but the having great bodies of men put  
out of the church, and under severe  
laws, which should force them to move  
for a toleration, and make it reason-  
able to grant it them, p. 179.

\* Sir John Vaughan. He offered

many instances of the law books to  
shew, "That it was lawful in many  
cases to take up arms against those  
who were commissioned by the  
king." Echard.

<sup>f</sup> By the earl of Southampton,

<sup>g</sup> By the earl of Anglesey.

1662.

Suppose now, the king invested with such a power, had attempted to abrogate all the old, and substitute new, laws, at his pleasure, to abolish the use of parliaments, and force his subjects to embrace the popish religion; which way could they have maintained their liberties and religion, since there was no supreme court to call the king to an account, and since by this oath it was high treason to take up arms against him upon any pretence whatsoever? These are the usual effects of factions in a state. Each party, when superior, thinks only of doing the contrary to what the other has done, without considering the consequences, and generally both parties run into extremes. The parliament of 1640, incensed against Charles I. for attempting to stretch his prerogative, are not content to reduce him within due bounds, but assume also privileges inconsistent with the constitution, and proceed at last entirely to destroy the monarchy. The parliament of 1661, not satisfied with restoring the king to his just rights, invest him with an unlimited power, and render him as absolute as any monarch in the universe.

Chimney  
act,

Edward,

The annual tax of two shillings upon every fire hearth, not only to this king for his life, but to his successors for ever, showed, that this parliament acted not upon a bare motive of zeal and affection for the reigning king, but also seemed to have an intention of putting the kings of England in a condition to support themselves without parliaments, by so great a power ascribed to them. And indeed, this single tax amounted to about two hundred and fifty six thousand pounds a year, which, together with tunnage and poundage, excise, and other duties, made the revenue of the king double to any of his predecessors; so fearful was this parliament of not sufficiently showing their zeal for monarchical government, which had been, many years, so unworthily treated.

The queen's  
arrival;  
Kenner's  
register,  
p. 660, 686.

The session of parliament being ended, the court was wholly employed in preparing for the reception of the new queen, who was daily expected. She left Lisbon the 15th of April, and arrived at Portsmouth the 14th of May, where the king went to receive her<sup>a</sup>. A report was spread, that the marriage was solemnized by Sheldon, bishop of London, though others, who believe themselves better informed, say, the queen refused to be married by any but a catholick priest;

<sup>a</sup> Rapin had committed several mistakes in this paragraph, particularly concerning the dates, which are recti-

fied from the journal of Edward earl of Sandwich, vice-admiral. See Kenner's register, p. 660, 686.

priest; that the king consented to it, and that very few persons were present at the solemnity<sup>1</sup>. This marriage had been proposed by d. Francisco de Mello, the Portuguese ambassador, to general Monk<sup>2</sup>, at the time that he was labouring the king's restoration. The ambassador's aim was to procure Portugal a powerful assistance from England, since by the Pyrenean treaty, the king his master had no farther expectations from France. To prevail with Monk, and by his means, with the king, he engaged that the king of Portugal should give with the prince's his sister, three hundred thousand pounds sterling, the town of Tangier upon the coast of Africa, and the isle of Bombaim in the East Indies. Monk, pleased with these offers, proposed the marriage to the king immediately after his arrival<sup>3</sup>. The king approved of it, and accordingly it was concluded in the year 1661<sup>4</sup>. Some pretend, that chancellor Hyde strenuously opposed the marriage, upon an information that the princess of Portugal, by some natural infirmity, was incapable of having children, but that the king took this for an artifice of the court of Spain to prevent a marriage, which could not but prove prejudicial to their great designs upon Portugal. Others say, the chancellor was the chief author of the match. Before the consummation of the marriage, the king, in a treaty with Portugal, engaged to assist that kingdom against Spain<sup>5</sup>, and in the nineteenth article, obliged himself never to restore Dunkirk to that crown.

1662.

and marriage.

May 21.

Id. p. 696.

Burnet.

Heath.

Kennet's

register,

p. 394.

Burnet.

Echard.

D'Ablancourt's

court.

Kennet's

register,

p. 471.

When

<sup>1</sup> Burnet says, when Sheldon came to perform the ceremony, she would not say the words of matrimony, nor bear the sight of the bishop. The king said the words hastily, and the bishop pronounced them married persons. But the duke of York told Burnet, they were married by the lord Aubigny, according to the Roman ritual, the duke being one of the witnesses, p. 174.—Queen Catherine was born November 14, 1638. Kennet's register, p. 696.

<sup>2</sup> The first proposal of it was made to Monk by a Jew, that managed the concerns of Portugal. Burnet, p. 166.

<sup>3</sup> D'Ablancourt says, count Schomberg first proposed it to the king. Mem. p. 37.

<sup>4</sup> The Spanish ambassador opposed this marriage to the utmost of his power. He proposed to the king a

protestant princess, namely, either the princess of Denmark, or of Saxony, or of Orange. But, as bishop Burnet observes, king Charles pretended a contempt of the Germans, and of the northern crowns. France had no sister. Spain had only two infantas; the eldest whereof was married to the king of France, and the second was to go to Vienna. So the house of Portugal only remained to furnish the king a wife.—France strenuously promoted this marriage, and to succeed the better, offered the earl of Clarendon a pension of ten thousand pounds a year; but the earl rejected that offer with great indignation. Fanshawe's letters, p. 67. Burnet, p. 166, 167.

<sup>5</sup> Namely, to send into Portugal three thousand foot, one thousand horse, and eight frigates, to cruise upon their coasts. D'Ablancourt's Mem. p. 37.

1662.

Arrival of  
the queen-  
mother.

July 28.  
Kennet's  
register,

p. 733.  
Heath.

The sale of  
Dunkirk.

Kennet's  
register,

p. 723, 733.  
302.

D'Estrades's  
letters.

When the marriage was completed, the queen mother arrived in England<sup>o</sup>, with design, as it seemed, to spend there the residue of her days. The king assigned Somerset House for her residence, and gave her wherewithal to keep a splendid and magnificent court. But she did not, it seems, find in England, the satisfaction she expected, for after three years she returned to France.

The most considerable transaction at the English court, in the remaining part of this year, was the sale of Dunkirk. The king looked upon this place as his property, since it was surrendered to Cromwell by France, in consideration of the succours she had received in her war with Spain. Whether this reason was solid or not, it is certain, the king believed he had a power to dispose of the town as he pleased. The two years large supplies granted him by parliament were all consumed, and his coffers empty, though his extraordinary occasions had been only the disbanding of the army, and payment of the arrears due to the fleet. Whatever were the king's motives to part with this important place, he resolved to sell it to France, by whom it was gladly purchased. The negotiation for this sale began in July 1662, and ended the following October. The king's first demand was, twelve millions of livres, and count d'Estrades, who managed the affair for Lewis XIV. offered but fifteen hundred thousand. This great difference between the sum demanded and offered, was the sole subject of the negotiation. Each feigned, however, to be unwilling to recede, though both were equally impatient, the one to sell, and the other to purchase, and knew one another's intention. Charles told count d'Estrades by his chancellor, that four ways were proposed for the disposal of Dunkirk. The first was, to surrender it to the Spaniards, who offered what price the king should be pleased to demand. The second was, to treat with the Dutch, who offered immense sums. The third was, to put it into the hands of the parliament, who would keep it without any diminution to the king's pretensions as sovereign. The fourth, which he thought most just, and suitable to his interests, was to sell it to the king of France. There was also a fifth way proposed by the earl of Sandwich, which was to demolish it, and fill up the harbour, to render it entirely useless.

The king of France answered, he much doubted the offer of the Spaniards, who had not yet been able to pay his  
queen's

<sup>o</sup> With Henry Jermyn, earl of St. Albans, and others.

queen's portion, though on that payment depended the validity of her renunciation: that it would be more advantageous to the king of England, to make a free gift of the place to the Spaniards, than to receive for it twenty millions from the Dutch, which, most certainly, they would not give. And as to delivering it to the parliament, the king knew better than he, how dangerous it was to increase the parliament's power.

In short, Charles came to seven millions of livres, and the count d'Estrades offered him two, then two and a half, and at last three. But the king his master had given him power to offer four, at the very time that Charles consented, that the sale should be fixed at five millions. The king of France was obliged to come up to his price, when he found nothing would be abated, and that he run the risk of being disappointed, if he stood out any longer. There was also some difficulty about the time of payment; the king of England would have all the money at once upon the delivery of the place, and the king of France offered to pay it at several times. At last it was settled, that one half should be paid down, and the other in two years, at two several payments.

Dr. Burnet, in the history of his own times, says, that Charles squandered away the money, received for Dunkirk, among his mistress's creatures<sup>p</sup>. Others assure, that with one part he discharged his sister the duchess of Orleans' dowry, and with the other assisted Portugal.<sup>p. 173. R. Coke.</sup>

The motives alledged by the chancellor to the count d'Estrades, to show, the king was under a necessity to sell Dunkirk, were, that, his coffers being empty, he could only by that means be enabled to assist Portugal. But in England, this reason was not to be urged, because all knew what vast sums the king had received from the parliament. To cover therefore the dishonour of this sale, it was pretended, that the garrison and repairs of the fortifications cost the king immense sums to no purpose; that "the sea was so tempestuous, and the grounds so rolling upon every storm, that there would never remain a certain steerage to that port."<sup>Echard, t. III. p. 84.</sup>

<sup>p</sup> Though the king promised, That he would lay up all the money in the Tower, and that it should not be touched, but upon extraordinary occasions. Burnet, p. 172.—The mis-

tress here mentioned was Barbara Villiers, the king's first mistress, afterwards created duchess of Cleveland. See Burnet, p. 94.

1662.

“port<sup>l</sup>.” On this occasion several pamphlets were published, tending to show the injury done to the nation in the sale of Dunkirk to France, and others to palliate, or to demonstrate the necessity of this sale.

But the greatest dispute concerning this subject, was upon two questions, Whether the proposal came from France or England? And whether the earl of Clarendon, as he was generally accused, was the author and promoter of the sale, or, as some pretend, protested he would not be concerned? I find mr. Echard, in his history of England, and dr. Burnet, in that of his own times, entirely clear the earl of Clarendon. It is however a fact, as certain as a fact of this nature can be, that the earl of Clarendon proposed it, negotiated the sale, and concluded it. To prove this truth, I need only quote the letters of count d’Estrades, who was commissioned to manage the affair, and consequently knew more of it than any other. It must however be said, in excuse of mr. Echard and dr. Burnet, that when they writ this part of their histories, count d’Estrades’s letters, concerning the Dunkirk negotiation, were not published, and that they knew no more of the affair, than what they had received from the earl of Clarendon’s friends.

Count d’Estrades, being ambassador at London the beginning of the year 1662, had secretly agreed with the king, that the French king should supply him with a certain sum of money, to enable him to assist Portugal. But this was to be kept very secret, because of the Pyrenean treaty, by which Lewis had solemnly engaged to give no assistance to Portugal, either directly or indirectly. This secret, however, took air, and occasioned a letter from Lewis to count d’Estrades, dated the 4th of March, in which are these words: “——— You may tell the king of England, that  
 “ what is known here of the money of Havre, came from  
 “ Fox himself, who has not been very careful to keep the  
 “ secret: This was partly the cause of all the senseless noise  
 “ made in Paris, which doubtless must have reached Lon-  
 “ don, that I am treating for Dunkirk with the said king  
 for

q These were the words of the earl of Sandwich, according to Echard. Burnet says, count Schomberg, who was lately come into England, advised, in opposition to all this, that the king should keep it, for, considering the naval power of England, it could not

be taken, and that the holding it would keep both France and Spain in a dependence upon the king. But he was singular in that opinion. Clarendon said, he knew nothing of those matters, but appealed to Monk’s judgment, who was for selling it, p. 173.

“ for a sum of money, in order to exchange it with the  
 “ king of Spain, for Cambray, or Aire, and St. Omer. 1662.  
 “ You know better than any man, whether I had ever such  
 “ a thought.”

It is not unlikely, that this was an insinuation which begot in Charles the thought of selling Dunkirk to France; but the sale was not mentioned till some months after. Count d'Estrades being returned to France in April this year, was appointed ambassador extraordinary to Holland. But as he was on his journey, he received a letter from the king of England, of the 17th of July, to desire him to come to London, where he wished to communicate to him an affair proposed by the chancellor. Count d'Estrades, with his master's leave, went to London, and there received from him a letter, in which he told him, “—You may guess  
 “ with what impatience I expect the arrival of your packet,  
 “ which is to inform me of the arrival of the king of  
 “ Great Britain's desiring to speak with you, and obliging  
 “ you to defer your journey to Holland, &c.

As all the other letters, till October, shew, the count d'Estrades was employed only in this negotiation during his stay at London, there is no reason to doubt, that the first proposition for the sale of Dunkirk, came from England.

As to the share the earl of Clarendon had in the affair, it clearly appears in a letter of the 17th of August, writ by count d'Estrades, to the king his master, wherein he gives an account of a conference he had with the earl of Clarendon. These are his words: “ The chancellor added, that the  
 “ thought of this treaty came from him, and did not con-  
 “ ceal, that the necessity of the English affairs had inspired  
 “ him with it. That the king, the duke of York, and  
 “ himself, were alone of this opinion, and that Monk, the  
 “ lord treasurer, and the earl of Sandwich were still to be  
 “ managed, whom he could not hope to gain, but by the  
 “ great sums which would accrue to the king: that having  
 “ already proposed it to them from the urgent occasions of  
 “ the state, they had offered an expedient to preserve the  
 “ place for the king, and ease him of this expence.—  
 “ I must not forget to tell your majesty, that the chancellor  
 “ hinted to me, that the king had precautions to observe  
 “ with the queen his mother on this affair: that therefore the  
 “ king had told the queen, that his sending for me into  
 “ England, was to desire my application to your majesty,  
 “ for a sum of money to be lent him in his pressing necessi-  
 “ ties, and that he had ordered the chancellor to confer  
 with

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“ with me upon it. The chancellor added, that the king  
 “ and he were agreed, that the king should complain much  
 “ of my non-compliance, with regard to this loan, and that  
 “ the chancellor particularly should tell the queen, by way  
 “ of secret, that I was a strange man, and he very much  
 “ mistaken, if by what I had said to him, I did not in-  
 “ tend to demand for security of this loan, some cautionary  
 “ town, as England had formerly done by France and  
 “ Holland, in a like case; but that he had pretended not  
 “ to understand me, as being a demand to which he would  
 “ never advise his master to consent. All this disguise is  
 “ used to prepare the queen to believe, that she knew some-  
 “ thing of the treaty, if it should come to a conclusion, and  
 “ that necessity was the motive to it. I am likewise to  
 “ complain of the chancellor, as of a man who blindly de-  
 “ sires to procure advantages for his master, without regard-  
 “ ing the interest of your majesty. The whole proceeding  
 “ confirms me in the opinion, that they have a mind to a  
 “ treaty, and that they are reasonable in every thing but the  
 “ price.”

In another letter of the 21st of August, count d'Eftrades  
 writ to the king, that the chancellor told him, —“ That  
 “ when it should be known for how small a sum this treaty  
 “ was to be made, the king could not avoid reproach, and  
 “ that, at least, he (the chancellor) would be liable to  
 “ publick censure, which might endanger his life. That  
 “ therefore it was his opinion to make a present of it to  
 “ your majesty, and leave the reward to your generosity;  
 “ but as he was not master, and was highly concerned to  
 “ take care of himself in so nice an affair, he was obliged  
 “ to conceal his sentiments, and pretend to adhere to those  
 “ of others, that he might not be taken for the principal  
 “ author of the treaty. — He farther enlarged upon the  
 “ importance of this place, and the advantages which your  
 “ majesty might receive from it, if you should ever design to  
 “ make conquests upon Flanders, &c.”

p. 173. These letters demonstrate, that the earl of Clarendon, son  
 of the chancellor, was ill informed, when he told doctor  
 Burnet that his father kept himself out of that affair entirely.  
 It may be said however, in the chancellor's justification, that  
 possibly the thought of selling Dunkirk came first from the  
 king; that perhaps the chancellor endeavoured to dissuade  
 him from it, and not succeeding, had a mind to give him a  
 proof of his obedience, in taking the negotiation upon him-  
 self, in order to manage it to the king's advantage. For

dr. Burnet, in his character of this minister, observes, that though a resolution was taken contrary to his sentiment, he executed it with the same zeal, as if proposed by himself. But this is only a bare possibility, which every one will regard as he pleases. 1662.

While this negotiation employed the king and his first minister, three of the late king's judges, who had found means to escape out of the kingdom, were publickly executed at Tyburn. They had, after wandering through Low and High Germany, settled for some time at Hanau under borrowed names, and returned in the spring to Delft in Holland, having appointed their wives to meet them there, in order to learn the state of affairs in England, and what hopes were left for them; but sir George Downing, the king's resident at the Hague, and formerly of their party, having intercepted their letters, obtained the consent of the states to seize and put them on board an English ship, which brought them to England, where they were executed. The names of these three regicides were Corbet, Okey, and Berkstead. Three regicides executed. Echard. Ludlow. Kennet's register, p. 66a.

This execution was followed with the trials and condemnation of sir Henry Vane and general Lambert, who had been particularly excepted in the act of pardon, though they were not amongst the king's judges, because they were considered as the chief authors of the troubles. Vane had been confined, shortly after the king's arrival, on a bare suspicion of framing some plot against the government. But though he was excepted in the act of indemnity, he had, by means of his friends, found so much favour from the same house of commons, who had excepted him, that they petitioned the king, jointly with the peers, that he might not suffer death, which was granted by the king. He was therefore kept in prison without being tried, till the time I am speaking of. But this second parliament being composed of men of a different character from the first, the commons addressed the king to bring him as well as Lambert to their trials. In vain did he alledge in his defence the petition of the first parliament; and many other reasons; he was sentenced to die as a traitor. Lambert was also tried and condemned, but was reprieved at the bar, just as he was going to receive sentence. He was confined in the isle of Guernsey, where he lived a prisoner thirty six years. Sir Henry Vane Proceedings against Vane and Lambert. June 2. State trials. t. II, p. 234.

q He is said to live and die a papist. It was the papish interest that saved his life, and it is thought he died of that persuasion in order to escape the

1662. Vane met not with the same favour from the king. This, it is pretended, was owing to his insolent behaviour at his trial. But many believed him a sacrifice to the manes of the earl of Strafford, to whose death he had greatly contributed. His indiscretion and insolence, as well at his trial as his execution, have been extremely aggravated. But it is easy to see, it was only to save the king's honour, who, having positively promised a pardon to all except the king's judges, could not avoid granting a pardon to Vane, without violating his promise, and especially after sparing his life at the request of the late parliament. It was so feared that he would insist upon this point in his last speech, that drummers were placed under the scaffold, who, as soon as he began to speak, upon a sign given, drowned his voice with their drums. All the favour he could obtain from the king, was to be beheaded. Great care was taken after his death to publish the king's inclination to pardon him, if he had not been provoked by his insolence. But this is a thing very hard to be proved.

Vane  
executed.  
June 14.  
Burnet.  
Heath.  
Echard.

Burnet,  
p. 164.

The presbyterian ministers quit their livings rather than submit to the act of uniformity. Kennet's register, p. 747, &c. Baxter's life. Burnet.

St. Bartholomew's day being come, on which the act of uniformity was to take place, two thousand presbyterian ministers chose rather to quit their livings, than submit to the conditions of the act. It was expected, that a division would have happened amongst them, and that a great number would have chose rather to conform to the church of England, than see themselves reduced to beggary. It was not therefore without extreme surprise, that they were all seen to stand out, not so much as one suffering himself to be tempted

the punishment others met with, who were no more guilty than he was. Old mr. Barker, a papist and dependent on the Norfolk family, knew the particulars. He was reckoned one of the finest and best bred gentlemen in England.

His friends persuaded him to make some submission to the king, in order to save his life; but he said, "If the king did not think himself more concerned for his honour and word, than he did for his life, he was very willing they should take it. Nay I declare, said he, that I value my life less in a good cause, than the king can do his promise. State-trials, tom. II. p. 455.

The presbyterians remembered, what a St. Bartholomew's had been

held at Paris ninety years before, which was the day of that massacre, and did not stick to compare the one with the other. Burnet, p. 185. — There was a great debate in council, a little before St. Bartholomew's day, whether the act of uniformity should be punctually executed or not. Some moved to have the execution of it delayed till the next session of parliament. Others were for executing it in the main, that is, to let some eminent men preach in their churches, till they should die, and to put curates to read the common prayer. The earl of Manchester laid all these things before the king with much zeal: Sheldon, on the other hand, pressed the execution of the law. Id. p. 192.

tempted<sup>t</sup>. As this is a considerable event of this reign, it will not be improper to enquire into the causes of this rigour against the presbyterians: I say the presbyterians, because it was not the other sects that the church of England most dreaded. 1662.

1. It cannot be denied, that the highchurchmen, who prevailed in the parliament, acted in a spirit of revenge. But this revenge should not appear very strange, considering the persecution, and at last, the entire destruction, brought upon the episcopal church by the presbyterians, if honour had not been wounded, nor any promise made to the presbyterians. The church of England was the national church, which had flourished from the reformation to the time of the war between Charles I. and the parliament, when the presbyterians entirely subverted it. It was therefore but just to restore it to its former condition. But it was injustice to violate the promise made to the presbyterians, especially as they had greatly contributed to the king's restoration, and withal, to that of the very church, which persecuted them after being re-established by their assistance.

2. But revenge was not the sole cause of the present rigour exercised against the presbyterians. The desire of self-preservation was no less concerned. Experience of what had passed, taught the church of England, that if the presbyterians should ever find an opportunity like that which they once had, they would not fail to improve it. They were always irreconcilable enemies, though, in the present juncture, they were unable to do any hurt, and obliged to sue for mercy. It was therefore, undoubtedly, the interest of the church of England, to use all possible precautions to hinder the increase of a party already too powerful, and which, probably, would never cease contending for the superiority.

3. We have seen what were the notions of this parliament and of highchurch, concerning the royal prerogative, and to what height it was carried. The presbyterians, as well as the other sects, were known to follow quite contrary maxims, and if they were not entirely republicans, at least, they endeavoured to reduce the royal power within very narrow bounds, as appeared in the resolutions and conduct of the parliament

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<sup>t</sup> Burnet insinuates, that their leaders took great pains to have them all stick together, infusing it into them, that if great numbers stood out, that would show their strength, and pro-

duce new laws in their favour.—— So it was thought, that many went out in the crowd to keep their friends' company, p. 292.

1662. parliament of 1640. But while the church of England had no suspicion of the king's religion, and believed him a zealous member, it was her interest to support and extend the prerogative, and consequently to disable the presbyterians to prosecute their maxims.

4. The church of England's interest required, that she should improve so favourable an opportunity, which perhaps might never return. It was seen, how greedy the king was of money, to throw it away with the greatest profusion, and that he could not be without the assistance of his parliament, and the church had the good fortune to have a parliament consisting of her most zealous members, and disposed to sacrifice to the king a little of the nation's treasure, provided the king would, in his turn, make them a sacrifice of the presbyterians. Though he was not suspected to be a papist, it could not be thought, he would, from a pure principle of honour and honesty, quarrel with a parliament so favourable to him, for the sake of the presbyterians, whom he neither did, nor had reason to love. There was nothing therefore but what might be expected from his complaisance: provided care was taken to supply him with money. Such a juncture was not to be neglected.

5. But there was another still more powerful cause of the parliament's severity against the presbyterians. This was the interest of the papists, who had ever a great influence during this reign. Some made an open profession of their religion, and yet were looked upon with a very favourable eye by the court. Others, after the king's example, pretended to be good protestants, and zealous members of the church of England, in order to be more serviceable to their party. The first used their utmost endeavours to incite the parliament to a severe treatment of the presbyterians, in order to destroy a party which had so openly declared against the royal power. The others concealing themselves under a false zeal for the protestant religion, laboured with the same ardour, to excite the enmity of the heads of the church of England, and of those whom they knew to be most warm, against men, who would not spare them, if ever they were in a condition to ruin them, as they had manifestly shown. But while they were thus zealously labouring to bring things to extremities, they were endeavouring, on the other hand, by their emissaries, to encourage the presbyterians, and exhort them to the closest union, by insinuating it to be the most effectual means to defeat the measures of their enemies. They were told, their number was so great, that, in all likelihood,

likelihood, it would deter the parliament from attempting the ruin of so many at once, for fear of exciting new troubles. Whereas, if their party should divide, they would be insensibly and irrecoverably ruined. In short, to induce them the more easily not to despair, they were told, the king, provoked with the ill treatment they received, notwithstanding his promise to them, would protect them openly if they would remain united; but a division would put it out of his power to do them any service. It is certain, the court was in this disposition, not from any pity to the presbyterians; or regard to the king's honour, but from the hopes that the union amongst the nonconformists would procure them more favourable conditions, of which the papists might make an advantage. But when I say the court, I do not pretend to include the earl of Clarendon, though prime minister. This justice must be done him, to say, that not only he did not contribute to the designs of the king and the papists, but was the man that broke their measures, by secret intrigues, well knowing what was concealed under this feigned moderation of the king to the presbyterians. However, the king, the duke of York, and the other leading papists, believed it necessary, to push the presbyterians, and then encourage them to hold together, that the danger arising from their union might prevail with the parliament to grant to all the nonconformists in general, a toleration which should extend to the papists. This is not a bare conjecture. All the king's proceedings demonstrate this was the scheme he had formed. Burnet, p. 194. Kennet.

I have already mentioned the corporation act, made to prevent disaffected persons from being admitted into offices. For the better executing this act, the parliament appointed commissioners, who were employed all this year in visiting corporations, and inspecting the conduct of the members. A very extensive power was given to these commissioners, with absolute authority to turn out of the corporations, all members who were ever so little suspected. For the design of this act was to divest of all credit, every person not entirely devoted to the king and the church of England. This power was exercised with all imaginable rigour: so that the corporation had not one member left, who was not of the same principles with the house of commons. Moreover, the walls of Gloucester, Coventry, Northampton, Leicester and Taunton were, by order of these commissioners demolished, because these towns had distinguished themselves by their fidelity to the parliament. Rigorous execution of the corporation act. Heath, p. 512.

1662.

A plot.  
Ibid.  
Echard.  
Ludlow,  
III. p. 113.  
State-trials,  
t. II. p. 474.

About the end of the year a conspiracy was discovered; formed by the fifth monarchy-men, and upon the informations of some of the accomplices, six were executed. Nevertheless, many believed, this was only an artifice to excuse the severity practised against the nonconformists. The ground of this suspicion was, that in a plot formed to seize and kill the king, the duke of York, and general Monk, and to seize the tower and castle of Windsor, only six conspirators were discovered, namely, George Phillips a serjeant of foot, Thomas Tonge a distiller, Francis Stubbs a cheesemonger, James Hind a gunner, John Sellers a compass maker, and Nathaniel Gibbs a felt maker. Few could believe that such men should ever think of succeeding in a design of that nature. It is true, that to render the conspiracy more probable, it was said, the old colonels were to assemble their disbanded forces, and Ludlow, then in Switzerland, to come and head them. But though such an undertaking required persons of some distinction, yet only these six wretches who were executed<sup>u</sup>, could be discovered. At least, if the conspiracy was real, the plotters had yet made no great progress<sup>v</sup>.

Six conspirators executed.  
Dec. 22.

Peace with Algier.  
October 5.  
Collect. of treaties,  
t. III. p. 264,  
267.

To finish the most remarkable transactions of this year, I shall briefly add, that after the earl of Sandwich left Lisbon, to conduct the queen into England, vice admiral Lawson, sailed with a squadron to Algier, and forced the Algerines to a peace with England. As the king was in possession of Tangier, they, doubtless, believed, it would not be advantageous to have him for their enemy. Shortly after, the king declared Tangier a free port, and invested it with great privileges<sup>x</sup>.

1662-3.

The king's conduct to the presbyterians.

The king had already discovered, how agreeable it would be to him to have the management of the uniformity act, but the parliament had returned no answer to his desire. Before this act, the presbyterians had behaved in a manner which gave no just cause of complaint against them, and the

<sup>u</sup> Only Phillips, Tonge, Gibbs, and Stubbs, were executed. John Sellers was afterwards made the king's Hydrographer, and published several maps, charts &c. See Heath, p. 513.

<sup>v</sup> However, as Ludlow observes, this served the court for a pretence to seize five or six hundred persons; to disarm all those they suspected; to make those they had taken give bonds not to take up arms against the king; and

to increase their standing guards. tom. III. p. 114.

<sup>x</sup> This year died Robert Saunderson, bishop of Lincoln; dr. John Gauden, bishop of Worcester, the reputed author of *Eikon Basilike*. [See Kennet's reg. p. 773, &c.] As also William Fiennes, viscount Say and Seal, lord privy seal; and, on Septem. 3, at Burford, William Lenthall, speaker of the long parliament. Id. p. 671.

the king had made them a positive promise, either that he would never consent to the act, or procure them a particular exemption, but he performed neither, his aim having been only to keep them united, by giving them hopes of his protection. After the act was passed, he still continued to feed their expectations, and hence it was, that they addressed the king and council, for a dispensation from the penalties annexed to the act of uniformity. The petition would doubtless have been rejected, if the king had not signified to the council the obligation he was under to grant their request. Some time after he published a declaration, A declaration in their favour. dated the 26th of December, but which appeared not till the beginning of January 1662-3. In the declaration, after an assurance of his firm adherence to the act of uniformity, Kenner's register, p. 848. he said however, that for the sake of others, he was willing to dispense with some matters in it. Upon the declaration, Dec. 28. rasion, mr. Calamy a presbyterian minister being in the church of Aldermanbury, of which he had the cure before Heath, p. 514. the execution of the act, and seeing the minister, who was expected, did not come, ascended the pulpit and preached, for which he was committed to Newgate by the lord mayor of London. But in a few days, he was discharged by the king's express order.

The king, as we have seen, meant to procure some advantages for the presbyterians, in order to procure the same for the papists. This was his scheme, and as it was directly contrary to the earl of Clarendon's principles, mortal enmity of the presbyterians, and no friend of the papists, it is not surprising, it should be formed without the privity of this credit. minister, whose credit, for that reason, began now to decline.

Nay, the king had plainly shown, he had not the same affection for him, by obliging his intimate friend secretary Nicholas, worn out with age, to resign his post to the chancellor's professed enemy, sir Henry Bennet, afterwards earl of Arlington. This sufficiently discovered, that his credit with the king was sensibly diminished. On the other hand, though the king affected a great zeal for the protestant religion, the choice of Bennet to be secretary of state, showed his

## Q 3

y His words are, "—As for what concerns the penalties upon those who (living peaceably) do not conform through scruple and tenderness of conscience but modestly, and without scandal, perform their devotions in their own way, we shall make it our special care, without in-

"vading the freedom of parliament, to incline their wisdom at this next approaching session, to concur with us in making some such act for that purpose, as may enable us to exercise with a more universal satisfaction, that power of dispensing, which we conceive to be inherent in us."

1662-3.

A declaration in their favour.

Kenner's register,

p. 848.

Dec. 28.

Heath,

p. 514.

The earl of

Clarendon

begins to

sink in his

credit.

The earl of

Arlington

made secre-

tary of state.

October 2.

Kenner's

register,

p. 788, 789.

1662-3. his inclination for the Roman catholicks, as Bennet was strongly suspected of being a papist in his heart, and known for their protector. It is said, he and the earl of Bristol had induced the king to change his religion at Fontarabia, and that Bennet durst not return into England till after the death of the lord Culpeper, who had threatned him to discover it to the parliament. Be this as it will, Bennet being the chancellor's enemy, this last could not but look upon his enemy's advancement to the post of his intimate friend, as a prelude to his disgrace.

Clarendon.  
Echard,  
t. III. p. 95.

The king's  
designs in  
favouring  
the presby-  
terians.

The king's declaration in favour of the presbyterians, was a farther indication of the chancellor's fall. This declaration had been resolved and prepared, without his knowledge, at Somerset-house, where the queen mother resided, and probably by a catholick junto, or by secret favourers of that religion. Those who knew the chancellor's principles, easily judged, he had no hand in it. They had reason to be afterwards confirmed in that opinion, when every one evidently saw the king, in his pretended compassion for the presbyterians, designed only to procure a toleration for the catholicks. The chancellor, however, kept his post for some years, though with a great diminution of credit.

Phillips.

The parliament meeting the 18th of February, the king made a speech to both houses, in which he confined himself to one single point, namely, his declaration concerning the act of uniformity. His words were these :

The king's  
speech to  
both houses  
in favour of  
his declara-  
tion.  
Echard.

“——To cure the distempers, and compose the different  
“ minds among us, I set forth my declaration of the 26th  
“ of December, in which you may see, I am willing to set  
“ bounds to the hopes of some, and to the fears of others ;  
“ of which, when you shall have examined well the grounds,  
“ I doubt not but I shall have your concurrence therein.  
“ The truth is, I am, in my nature, an enemy to all sever-  
“ ity for religion and conscience, how mistaken soever it  
“ be, when it extends to capital and sanguinary punishments,  
“ which I am told were begun in popish times : therefore,  
“ when I say this, I hope I shall not need to warn any  
“ here, not to infer from hence, I mean to favour popery.  
“ I must confess to you, there are many of that profession  
“ who having served my father and my self very well, may  
“ fairly hope for some part of that indulgence I would wil-  
“ lingly afford to others who dissent from us : but let me ex-  
“ plain myself, lest some mistake me herein, as I hear they  
“ did in my declaration : I am far from meaning by this,  
“ a toleration or qualifying them thereby to hold any offices

“ or

“ or places in the government ; nay, further, I desire some  
 “ laws to be made to hinder the growth and progress of their  
 “ doctrines. I hope you have all so good an opinion of  
 “ my zeal for the protestant religion, as I need not tell you,  
 “ I will not yield to any therein, not to the bishops them-  
 “ selves, nor in my liking the uniformity of it, as it is now  
 “ established ; which being the standard of our religion,  
 “ must be kept pure and uncorrupted, free from all other  
 “ mixtures : and yet, if the dissenters will demean themselves  
 “ peaceably and modestly under the government, I could  
 “ heartily wish, I had such a power of indulgence, to use  
 “ upon occasions, as might not needlessly force them out of  
 “ the kingdom, or staying here, give them cause to conspire  
 “ against the peace of it.

“ My lords and gentlemen, it would look like flattery  
 “ in me to tell you, to what degree I am confident of  
 “ your wisdom and affection in all things, that relate to  
 “ the greatness and prosperity of the kingdom. If you  
 “ consider well what is best for us all, I dare say we shall  
 “ not disagree.”——

This speech, with the declaration of the 26th of Decem-  
 ber, alarmed the house of commons. It may almost be as-  
 firmed, that whatever the commons had done in favour of  
 the king, was only to procure his assent to the act of uni-  
 formity, and yet, they saw him not only dispense with that  
 act, but even desire a power to dispense with it, that is, to  
 set it aside as often as he pleased : that this was not only in  
 favour of the presbyterians, who had a better claim to indul-  
 gence than the other sects, but moreover, in favour of all  
 the nonconformists. Nay, it was easy to perceive, from  
 what he said concerning the catholicks, that his intention  
 was to prevent their being distinguished from the protestant  
 sects, in case his desires were complied with. This justice  
 ought to be done to the highchurch party, that though their  
 enemies frequently brand them for papists, on account of  
 their extreme attachment to certain forms and ceremonies,  
 yet are they as far removed from the essence of popery, as  
 the other episcopalians, and even the presbyterians themselves.  
 This they have demonstrated on several very remarkable oc-  
 casions. The house of commons, which, as I said, was  
 chiefly composed of highchurchmen, found in the king's de-  
 mand, two articles equally opposite to their principles, name-  
 ly, indulgence for the presbyterians, and indulgence for the  
 catholicks. Wherefore, they resolved to present an address to

The com-  
mons are  
alarmed.  
Ibid.

1662-3. the king, wherein, after the necessary compliments, they proceeded in the following manner.

Address of  
the com-  
mons about  
the king's  
declaration.  
Feb. 27.  
Phillips.  
Kennet.  
Echard.

“—It is with extreme unwillingness and reluctance of heart, that we are brought to differ from any thing which your majesty has thought fit to propose: and though we do no way doubt, but that the unreasonable distempers of some mens spirits, and the many mutinies and conspiracies which were carried on during the late intervals of parliament, did reasonably incline your majesty to endeavour by your declaration, to give some allay to those ill humours, till the parliament assembled; and the hopes of indulgence, if the parliament should consent to it; especially seeing the pretenders to this indulgence, did seem to make some titles to it, by virtue of your majesty's declaration from Breda. Nevertheless, we your majesty's most dutiful and loyal subjects, who are now returned to serve in parliament from those several parts and places of your kingdom, for which we were chosen, do humbly offer to your majesty's great wisdom, that it is in no sort adviseable, that there be any indulgence to such persons who presume to dissent from the act of uniformity, and the religion established: for these reasons we have considered the nature of your majesty's declaration from Breda, and are humbly of opinion, that your majesty ought not to be pressed with it any farther; 1. Because it is not a promise in itself, but only a gracious declaration of your majesty's intentions, to do what in you lay, and what a parliament should advise your majesty to do; and no such advice was ever given or thought fit to be offered, nor could it be otherwise understood, because there were laws of uniformity then in being, which could not be dispensed with but by act of parliament. 2. They who do pretend a right to that supposed promise, put the right into the hands of their representatives, whom they chose to serve for them in this parliament, who have passed, and your majesty consented to the act of uniformity. If any shall presume to say, that a right to the benefit of this declaration doth still remain after this act passed; 3. It tends to dissolve the very bonds of government, and to suppose a disability in your majesty and the houses of parliament, to make a law contrary to any part of your majesty's declaration, though both houses should advise your majesty to it.

“ We have also considered the nature of the indulgence proposed, with reference to those consequences which must necessarily

1662-3

" necessarily attend it. 1. It will establish schism by a law,  
 " and make the whole government of the church precarious,  
 " and the censures of it of no moment, or consideration at all. 2. It will no way become the gravity or wisdom  
 " of a parliament, to pass a law at one session for uniformity,  
 " and at the next session (the reasons of uniformity continuing still the same) to pass another law to frustrate  
 " or weaken the execution of it. 3. It will expose your majesty  
 " to the restless importunity of every sect or opinion, and of every single person also, who shall presume  
 " to dissent from the church of England. 4. It will be a cause  
 " of increasing sects and sectaries, whose numbers will weaken  
 " the true protestant profession so far, that it will at least be  
 " difficult for it to defend itself against them: and which is further  
 " considerable, those numbers, which by being troublesome to the  
 " government, find they can arrive to an indulgence, will, as their  
 " numbers increase, be yet more troublesome, that so at length they  
 " may arrive to a general toleration, which your majesty hath  
 " declared against, and in time some prevalent sect will at last  
 " contend for an establishment; which, for aught can be foreseen,  
 " may end in popery. 5. It is a thing altogether without precedent,  
 " and it will take away all means of convicting recusants, and be  
 " inconsistent with the method and proceedings of the laws of England.  
 " Lastly, it is humbly conceived, that the indulgence proposed  
 " will be so far from tending to the peace of the kingdom, that it is  
 " rather likely to occasion great disturbance. And on the contrary,  
 " that the asserting of the laws and the religion established, according  
 " to the act of uniformity, is the most probable means to produce a  
 " settled peace and obedience throughout your kingdom; because the  
 " variety of professions in religion, when openly indulged, doth  
 " directly distinguish men into parties, and withal gives them opportunity  
 " to count their numbers; which, considering the animosities that  
 " out of a religious pride will be kept on foot by the several  
 " factions, doth tend directly and inevitably to open disturbance.  
 " Nor can your majesty have any security, that the doctrine or  
 " worship of the several factions, which are all governed by a  
 " several rule, shall be consistent with the peace of your kingdom.  
 " And if any person shall presume to disturb the peace of the  
 " kingdom, we do in all humility declare, that we will for ever,  
 " and on all occasions, be ready with our utmost endeavours and  
 " assistance to adhere to, and serve

1663. "serve your majesty, according to our bounden duty and  
 "allegiance."

The king's  
 answer.  
 March 16.  
 Echard.

This address, notwithstanding the weakness of the reasons alledged in it, produced the effect, the commons expected, which was, to let the king see, it would be in vain to endeavour to obtain from the parliament a power of dispensing with the uniformity act. He answered in writing, about three weeks after, that he was unwilling to reply to their reasons, though he found he had been misunderstood, but renewed his thanks for their declaration to assist him against any person, that should presume to disturb the peace of the kingdom.

The king  
 addressed by  
 the two  
 houses.  
 April 1.  
 Ibid.

As in the king's speech and declaration, there were two articles which gave an alarm to the parliament, the one relating to the nonconformists in general, the other concerning the papists in particular, the commons, after acting against the former, resolved also to proceed against the latter. To that end they obtained the concurrence of the lords, for an address to be jointly presented to the king, wherein both houses said, "That his majesty's lenity towards the papists, had drawn into the kingdom a great number of Romish priests and jesuits: they were therefore humble suitors to him, to issue out a proclamation to command all jesuits, and all English, Irish, and Scottish popish priests, and all such other priests as have taken orders from the see of Rome, or by authority thereof, (except such foreign jesuits or priests, as by contract of marriage are to attend the persons of either of the queens, or by the law of nations to attend foreign ambassadors) to depart this kingdom by a day, under pain of having the penalties of the law inflicted upon them." The king answered in writing: "That he was not a little troubled, that his lenity and condescension towards many of the popish persuasions (which were but natural effects of his generosity and good nature, after having lived so many years in the dominions of Roman catholick princes; and out of a just memory of what many of them have done and suffered in the service of his father and himself) had been made so ill use of, and so ill deserved, that the resort of jesuits and priests into this kingdom, had been thereby increased, with which his majesty was and is highly offended. But that he would issue out a proclamation as he was desired, and take care it should be more effectual than any proclamation of that kind had ever been. He declared farther to both houses, and all his loving subjects, that  
 "as

His answer.  
 Echard.

1663.

“ as his affection and zeal for the protestant religion, and  
 “ the church of England, had not been concealed or un-  
 “ taken notice of in the world, so he was not, nor ever  
 “ would be, so solicitous for the settling his own revenue,  
 “ or providing for the peace and tranquillity of the king-  
 “ dom, as for the advancement and improvement of the  
 “ religion established, and for the using and applying all  
 “ proper and effectual remedies to hinder the growth of  
 “ popery, both which he in truth looked upon the best ex-  
 “ pedients to establish the peace and prosperity of all his  
 “ kingdoms.”

The proclamation was accordingly published, but no bet-  
 ter observed than all those published for the same purpose,  
 since the beginning of the reign of James I. As it was not  
 then known that the king was a catholic, his assurances  
 of zeal for the protestant religion were taken for so many  
 truths, which removed all suspicion of his having the least  
 design to restore the catholic religion in England. As we  
 are now better informed, we are better able to judge of his  
 intentions.

A proclama-  
 tion against  
 Romish  
 priests.  
 April 9.  
 Ibid.  
 Kennet's  
 hist.

This affair being ended, the commons proceeded next to  
 examine the state of the king's ordinary revenue, and to  
 think of means to raise it to twelve hundred thousand pounds,  
 according to their promise\*. But as this affair required a  
 long discussion, the king, who designed an immediate prorog-  
 ation of the parliament, thought proper to make an attempt  
 for a speedy and extraordinary supply from the commons,  
 till his revenues should be settled. For that purpose he sent  
 for them to the banquetting-house, and in a speech, the  
 most flattering, pathetick, and affectionate, he had ever yet  
 made, demanded a present supply of money, without which  
 he assured them it was impossible to struggle with the diffi-  
 culties, he was pressed with. He offered to show, that the  
 twelve hundred thousand pounds formerly granted him, had  
 been to the last penny, disposed for the publick service.  
 But he well knew there was no danger in the offer, though  
 it was not easy to imagine to what publick use the money  
 had been applied. However that be, the commons moved  
 with the king's great affection for his people, and his ardent  
 zeal for the protestant religion, granted him four entire sub-  
 sidies,

The king  
 demands a  
 supply;  
 June 12.  
 Echard.

\* The particular branches of the re-  
 venues were, the customs, the excise,  
 the crown lands, the hearth money,  
 the post office, the first fruits and  
 tenths, the coinage, the alienation of-

sies, with other lesser matters, which  
 in all amounted to eleven hundred  
 thousand pounds, or thereabouts. E-  
 chard, t. III, p. 102.

1663. sidies, and the clergy in convocation, following their example gave him the same.

The chancellor's credit declines. Echard.

Mean time the chancellor's credit daily declined, not that his affection for the king was lessened, but, probably, because the king, entering into new projects advantageous neither to the state nor religion, did not believe that minister a proper instrument to assist him in the execution thereof. If the chancellor's enemies had met with encouragement from the king, he would have been already disgraced, but his services, affection, and fidelity, as well during the king's exile, as since his restoration, could not easily be forgot. Wherefore he was continued, not only in his post, but even in some degree of favour, which made the papists fear, he would at last recover his credit, and break all their measures. This probably engaged the earl of Bristol, a professed papist, to endeavour utterly to ruin the chancellor, by impeaching him before the lords of high treason, believing doubtless, the king would not be displeased to see him fall by that means, without his having any hand in it. But if it was easy to accuse the chancellor, it was difficult to draw an impeachment so plausible and coherent as to make him appear criminal. The articles exhibited against him by the earl of Bristol, were to this effect:

Burnet,  
p. 196, 197.

Articles of  
accusation  
against him.  
July 10.  
State trials,  
t. II. p. 550.  
Kennet.

- " 1. That he had endeavoured to alienate the hearts of his majesty's subjects, by artificially insinuating to his creatures and dependants, that his majesty was inclined to popery, and designed to alter the established religion.
- " 2. He had said to several persons of his majesty's private council, that his majesty was dangerously corrupted in his religion, and inclined to popery: that persons of that religion had such access, and such credit with him, that unless there were a careful eye had unto it, the protestant religion would be overthrown in this kingdom.
- " 3. Upon his majesty's admitting sir Henry Bennet to be secretary of state, in the place of sir Edward Nicholas, he said, that his majesty had given ten thousand pounds to remove a zealous protestant, that he might bring into that place of high trust a concealed papist.
- " 4. In pursuance of the same traitorous design, several friends and dependants of his have said aloud, that were it not for my lord chancellor's standing in the gap, popery would be introduced into this kingdom.
- " 5. That he had persuaded the king, contrary to his reason, to allow his name to be used to the pope and several cardinals in the solicitation of a cardinal's cap  
" for

1663.

“ for the lord Aubigney, great almoner to the queen : In  
 “ order to effect which, he had employed mr. Richard  
 “ Bealing, a known papist ; and had likewise applied him-  
 “ self to several popish priests and jesuits for the same pur-  
 “ pose, promising great favour to the priests here, in case  
 “ it should be effected.

“ 6. That he had likewise promised to several papists, he  
 “ would do his endeavour, and said, he hoped to compass  
 “ the taking away all penal laws against them ; to the end  
 “ they might presume and grow vain upon his patronage,  
 “ and by their publishing their hopes of a toleration, in-  
 “ crease the scandal endeavoured by him to be raised through-  
 “ out the kingdom.

“ 7. That being intrusted with the treaty betwixt his  
 “ majesty, and the royal consort the queen, he concluded  
 “ it upon articles scandalous and dangerous to the pro-  
 “ testant religion : moreover he brought the king and queen  
 “ together, without any settled agreement about the per-  
 “ formance of the marriage rites : whereby the queen re-  
 “ fusing to be married by a protestant priest, in case of  
 “ her being with child, either the succession should be made  
 “ uncertain for want of due rites of matrimony, or else  
 “ his majesty be exposed to a suspicion of his being mar-  
 “ ried in his own dominions by a Romish priest.

“ 8. That having endeavoured to alienate the affections  
 “ of the king's subjects upon the score of religion, he made  
 “ use of all malicious scandals and jealousies to raise to him-  
 “ self a popular applause of being the zealous upholder of  
 “ the protestant religion.

“ 9. That he further endeavoured to alienate the af-  
 “ fections of the king's subjects, by venting in his own dis-  
 “ course, and those of his emissaries, opprobrious scandals  
 “ against his majesty's person, and course of life, such as  
 “ are not fit to be mentioned, unless necessity should re-  
 “ quire it.

“ 10. That he endeavoured to alienate the affection of  
 “ the duke of York, from his majesty, by suggesting to  
 “ him, that his majesty intended to legitimate the duke of  
 “ Monmouth.

“ 11. That he had persuaded the king, against the ad-  
 “ vice of the lord general, to withdraw the English garri-  
 “ sons out of Scotland, and demolish all the forts built there,  
 “ at so vast a charge to this kingdom ; and all without ex-  
 “ pecting the advice of the parliament of England.

“ 12. That

1663.

" 12. That he endeavoured to alienate his majesty's affections and esteem for his present parliament, by telling him, that there was never so weak and inconsiderable a house of lords, nor never so weak and heady a house of commons; and particularly, that it was better to sell Dunkirk, than to be at their mercy for want of money.

" 13. That, contrary to a known law made last sessions, by which money was given and applied for the maintaining of Dunkirk, he advised and effected the sale of the same to the French king.

" 14. That he had contrary to law, enriched himself and his creatures by the sale of offices.

" 15. That he had converted to his own use vast sums of publick money raised in Ireland by way of subsidy, private and publick benevolences, and otherwise given and intended to defray the charge of the government in that kingdom.

" 16. That having arrogated to himself a supreme direction of all his majesty's affairs, he had prevailed to have his majesty's customs farmed at a lower rate than others offered, and that by persons, with some of whom he went a share, and other parts of money resulting from his majesty's revenues."

Rejected by  
the lords.  
Kennet.  
Echard.

Without entering into the particulars of this charge, I shall content myself with observing, it was unanimously rejected, as improbable, and even contradictory<sup>a</sup>. For, besides that the earl of Clarendon was known to be no less prejudiced against the papists than against the presbyterians, it could not but appear strange, that an open and declared papist, as the earl of Bristol was, should accuse the chancellor of favouring the Romish religion, and on the other hand, of insinuating, that the king was a papist, in order to alienate the affection of his subjects. But what was still more extraordinary in the impeachment, is, that the insinuations the chancellor was accused of, concerning the king, were true in themselves, and that the earl of Bristol pretended to represent them as slanders.

In

<sup>a</sup> Upon their being rejected, the earl of Bristol said, " Those articles were not intended by him as a charge, But as an information." As soon as he had delivered them, he it seems, either repented of it, or at least was prevailed with to abscond. Burnet, p. 197.

In this session, the parliament granted the duke of York the revenues of the post office <sup>b</sup>, and wine licences. These revenues, which afterwards considerably increased, enabled the duke of York to keep a separate court, and live independent of his brother.

1663.  
The revenue of the post settled on the duke of

The 27th of July, the king gave his assent to the subsidy act, and some others, after which he prorogued the parliament to the 16th of March the following year 1663-4.

York.  
Ibid.  
The parliament prorogued.

Shortly after, the king and queen made a progress into the west, where they were received with great pomp and magnificence, particularly at Oxford. This was only a journey of pleasure, and after five or six weeks spent in it, they returned to London in October.

Kennet.  
The king makes a progress.  
August.  
Phillips.  
Echard.

While the king was upon his progress, a conspiracy was discovered, carried on by the old republicans and independents, to restore the commonwealth. It is pretended, they were to seize several towns, particularly in the north, where they believed themselves strongest, and then raise a general insurrection. But being discovered by one of the accomplices, many were apprehended, and one and twenty convicted and executed the January following. It was assured, that Ludlow and Lambert were to head these rebels, though the first never stirred out of Switzerland, where he had fled for refuge. As for Lambert, besides that he never left the isle of Guernsey where he was confined, if any proofs had appeared against him, he would, doubtless, not have been spared. It is true, Ludlow, in his memoirs, seems to own, there was, this year, some project set on foot by the republicans in England.

A plot of the republicans and independents.  
Ludlow, t. III. p. 113.  
Ec.  
Phillips.  
Echard.

This year died Dr. Juxon archbishop of Canterbury, and was succeeded by Gilbert Sheldon Bishop of London <sup>c</sup>.

Dr. Juxon dies.

The parliament meeting the 16th of March, the king, in a speech to both houses, demanded a repeal of the triennial act made in 1641. To come to this demand, he enlarged on the late conspiracy, which he said was still on foot, and that there were men, who, on pretence that the parliament was at an end by some clause in the triennial bill, fancied they might assemble themselves, and chuse new members. He desired the two houses not to leave an act in being

June 4,  
1663-4.  
The king's speech to the parliament.  
Kennet.  
Echard.

<sup>b</sup> Which then brought in twenty one thousand pounds a year. Hist. of taxes, p. 307.

<sup>c</sup> This year also died, Jerome West-

on earl of Portland, and judge Jenkins, who had been questioned and imprisoned by the long parliament.

1663-4. ing, which passed in a time very uncareful of the dignity of the crown, or security of the people. Lastly, he told them, he loved parliaments: that never king was so much beholden to them as himself, nor did he believe the crown could ever be happy without frequent parliaments: but he would never suffer a parliament to come together, by the means prescribed by that bill. He then told them, that the four subsidies granted the last session, had fallen very short of what he expected, or they intended: that the revenues of the excise, and tunnage and poundage were greatly diminished by the frauds of brewers and merchants, and the tax upon chimnies declined, the last half year having brought in less than the former. He therefore prayed them to let him have the collecting of this tax by his own officers.

1664.

The act of  
triennial  
parliaments  
revoked.

The commons returning to their own house, proceeded immediately upon a bill to repeal the triennial act, and made another in its room, namely, that the sitting of parliament should not be discontinued above three years at most. This bill being ready, and passed by the lords, the king came to their house the 5th of April, and gave it the royal assent.

Cause of the  
Dutch war.  
Phillips.  
Echard.  
R. Coke.

The king had some time since resolved upon a war with Holland: but it is difficult to know the true motive of this resolution. For the causes alledged were only general, except the taking of two ships in the East Indies, valued at the most but at eight or ten thousand pounds Sterling. If some English historians are to be credited, the king had no thoughts of this war: the Dutch were the aggressors, and being encouraged by promise of great assistance from France, fought a quarrel with England. They also pretend, it was solely at the pressing instances of the parliament, that the king was drawn into this war: to revenge the wrongs and damages done by the Dutch to the English in India, Africa, and elsewhere. But as these historians descend not to particulars, but keep to generals, the reader would be very ill informed, if he adhered only to what they say. I shall therefore relate here what I meet with in others, who more fully explain the affair.

Bassage.

Sept. 24.

The 27th of April 1662, the states general of the United Provinces made a treaty with the king of France, by which both parties engaged to assist one another, in case of any attack upon either in Europe. The same year they made a like treaty of league and alliance with the king of England. This had relation to another made in 1659, between

tween England and the states before the king's restoration, 1664. and seemed to be renewed only to remove the defect of that of 1659, made on the part of England by an unlawful authority. However, it happened, in the interval between the D'Estrades two treaties, that the Dutch had sunk or taken in the Indies two English ships, called the Bonadventure and the Good-Hope, which occasioned a misunderstanding between the two nations. The English pretended, these two ships were attacked without any just cause, and the Hollanders maintained the contrary. In the treaty of 1662, the affair of these two ships was again debated; but as their value was inconsiderable, it was not thought proper to delay a treaty advantageous to both nations. It was therefore agreed, that the English should be allowed to prosecute the process commenced on account of their ships, and the states deposited fourscore thousand florins by way of security to pay the full value in case the affair was decided against them. Some time after another dispute arose upon the same subject, and this was, the king pretended, that the states general were judges of the process, to which the states replied, that it belonged to the cognizance of the admiralty of Amsterdam, who only had a right to decide it. The affair remained in this state till April this year 1654, when the commons, after an inquiry into the obstructions of the trade of the nation, voted, and obtained the concurrence of the lords to their vote, "That the wrongs, dishonours, and indignities done to his majesty by the subjects of the United Provinces in India, Africa, and elsewhere; and the damages done by them to the English merchants, are the greatest obstructions of the trade of England. That the same be speedily presented to his majesty, and he be moved to take some effectual course for redress of these injuries, and all other of the like nature, and for prevention of the like for the future. And in prosecution thereof, they will with their lives and fortunes assist his majesty, against all oppositions whatsoever." In pursuance of this resolution, the two houses presented, the same day, an address to the king, to which, on the morrow, they received this answer in writing. "That he was pleased with their zeal for

Vote of the  
parliament  
against the  
Dutch.  
Echard.  
Kennet.  
Phillips.

The parliament  
addressed the king.  
His answers  
Apr. 27, 1654  
the Echard.

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R

d De Wit told count d'Estrades, that the difference between the two nations arose on account of Downing's interests only, who had bought the pretended rights of the merchants, concerned in those two ships, for a trifle; that to

this end he inflamed the king of England's council, raising imaginary grievances and injuries received at sea by the English, which they never suffered. D'Estrades' letters of June 3. 1664.

1664.

“ the advancement of trade, and the removal of all obstructions which might hinder the same; being convinced, that nothing would more contribute to the honour of the nation, and the prosperity of his people. That he would examine the particular complaints which had been represented by his parliament, and order his minister in Holland to demand speedy reparation, and in case of a denial, he relied on their promise and declaration to stand by him.”

It is easy to see, that no particulars were specified either in the address or the answer, and that hitherto all was confined to generals. It will afterwards appear, that the English always kept to the same expressions, till the negotiation of the peace, when they were obliged to declare wherein consisted the injuries they complained of, the principal of which was found to be the loss of the two ships beforementioned. It is now time to show, that when these complaints were brought to the parliament, the king had already resolved on the war, and that these complaints were only designed to furnish a pretence, and engage the parliament to grant him the necessary supplies to support it.

Since the treaty of 1662, the states had great cause of complaints against the Algerines, notwithstanding the peace concluded with them in 1661. England was no less concerned than the states in the depredations committed by the Algerines upon all sorts of ships, and therefore the states desired the king of England to join a squadron of his ships with a fleet they were equipping, to oblige the Algerines to a more exact observation of the peace. The king answered, he had rather act separately.

Balsage.  
Kennet.  
Butchett.  
R. Coke.

After this answer, the states sent Ruyter into the Mediterranean, with a squadron of twelve ships, and the king sent thither a fleet of twenty sail under the command of Lawson. These two fleets departed in May this year, and about the same time the duke of York, as governor of the royal African company, sent vice admiral Holms to Cape Verde, with a squadron of fourteen men of war, to take all possible advantages against the Dutch East India company. Lawson meeting Ruyter in the Mediterranean, was saluted by the Dutch admiral, but returned not the compliment, contrary to what had been stipulated in the treaty of 1662. It is not necessary to take notice here of the little success Lawson and Ruyter had against the Algerines. What Holms did at Cape Verde is much more material.

In

In the months of August and September, Holms made <sup>1664</sup> himself master of fort St. Andrews, and most other places belonging to the Dutch in the neighbourhood of Cape Verde, and, after taking the fort built on the cape itself, he gave it the name of York. He erected a fort in the mouth of the river Gambia, and then sailing for Guinea, seized all the forts the Dutch had on that coast, except fort Achin and fort St. George de Mina. After this, he returned to England. Now, if it be considered, that Holms sailed from England in May, or at the latest, in June: that some time was required to equip this fleet, and that the parliament's address was presented to the king but the 27th of April, it will be easily perceived, that the war was resolved in England before any complaints of depredations committed by the Dutch were represented to the parliament, and that these complaints were only pretences for the war. It must be observed, that not a single English historian speaks of the hostilities committed by Holms at Cape Verde and Guinea, long before any declaration of war.

But what clearly shows, the king, since his restoration had ever intended this war, is, his conduct whilst the treaty between France and the states was negotiating at Paris: for he did his utmost to obstruct it. The principal condition of that treaty consisted, in a reciprocal guaranty of what the two parties possessed, or should afterwards lawfully acquire. In this general clause, the states comprehended the article of the fishery, as an essential article, and the king of France made no objection to it. But Charles opposed it, and endeavoured to hinder the king of France from agreeing to that article. Lewis, in compliance to Charles, sought expedients to satisfy him, by confining himself to a general guarantee, which should include all without exception. But the states refused to conclude the treaty, unless the article of the fishery was expressly inserted in the guaranty. Charles finding, the king of France would at last consent, ordered count d'Estrades, the French ambassador at London, to be told, that he had resolved to oblige the ships of all nations without exception, to strike to his. But perceiving, the

R 2

king

c King Charles II. the next year after his restoration, viz. 1661, sent for Robert Holms with a squadron of men of war and some soldiers to America, with which he reduced New York, and all that which the Dutch had taken from the English in Long Island. And from thence, for Robert Holms

failed to Africa, and took Cape Verde, and some other places where the Dutch had factories. Coke's detection, &c. t. II. p. 135. — Echard says, only the Dutch ambassador complained of some hostile attempts of captain Holms on the coast of Guinea. Tom. III. p. 121.

1664. king of France, instead of being intimidated by this menace, answered it in a high strain, he let him know, he would desist from this pretension as to him, provided he would desist from the guaranty of the fishery in favour of the Dutch. But Lewis, being sensible, the Dutch would never recede from that particular clause, agreed to it at last, and the treaty was concluded.

Hence it appears, that Charles was then seeking a quarrel with the Dutch, on the article of the fishery. But finding, France had expressly engaged to be guaranty of it, he himself concluded, that very year, a treaty of alliance with the Dutch, in expectation of some other occasion to begin a war with them.

This design was no longer deferred, than till the beginning of the year 1664, when a fleet was preparing in England, to act at Cape Verde, and in Guinea, under the command of Holms. Shortly after, some English merchants complained to the parliament of the horrible depredations of the Dutch. But it was never known wherein consisted the injuries received by the English. This extraordinary proceeding is a clear evidence, the court was in a good understanding with those who complained to the parliament. For, naturally, and according to the usual practice in such cases, they should have first brought their complaints to the king, who should have applied to the states for redress, and, in case of refusal, demanded the assistance of his parliament. But here the order was inverted. The parliament was first addressed to, who prayed the king to demand immediate reparation, and offered their assistance to carry on a war against the states, before it was known whether these complaints had any foundation, or whether the states were inclinable to repair the pretended damages. All this demonstrates, the war was resolved, before the parliament was informed of the causes and grounds of it. For it was May before the king, by his ambassador Downing, demanded of the states reparation for these pretended injuries.

What I have been saying, is farther confirmed by the speaker's speech to the king, at the prorogation of the parliament,

f Bishop Burnet gives Downing this character. "He was a crafty fawning man, who was ready to turn to every side that was uppermost, and to betray those, who by their former friendship and services, thought they might depend on him. He had been Cromwell's ambassador in Holland,

"where he had offered personal affronts, both to the king and the duke. But he had, by Monk's recommendation, found means to get into favour." p. 198.—Count D'Estrades says, he was a pitiful, seditious fellow. Letter of January 24, 1664.

liament, wherein he said, the house, upon examination of the reasons of the decay of trade, had found, that the Dutch, within a few years, had spoiled his subjects to the value of seven or eight hundred thousand pounds, though Downing had not yet presented his memorial to the states, nor, consequently, received any answer. 1664.

The 17th of May, the king coming to the parliament, the speaker presented the bills which were ready, and amongst the rest, one for empowering the king to levy the chimney money by his own officers, as he had desired. This bill was afterwards the cause of great vexations, complaints, and murmurs, which obliged king William III. to drop the tax, though, as it was levied in the reigns of Charles II. and James II. it amounted to above two hundred and fifty six thousand pounds a year. After the speaker had mentioned this bill, he told the king:

“—Whilst we were intent upon these weighty affairs, we were often interrupted by petitions, and letters, and motions, representing the unsettled condition of some counties, by reason of fanatics, sectaries, and nonconformists: they differ in their shapes and species, and accordingly are more or less dangerous, but in this they all agree, they are no friends to the established government either in church or state, and if the old rule be true, qui ecclesie contradicit non est pacificus, we have great reason to prevent their growth, and to punish their practice. To this purpose, we have prepared a bill against their frequenting of conventicles, the seed-plots and nurseries of their opinions, under pretence of religious worship. The first offence is made punishable with five pounds, or three months imprisonment, and ten pounds for a peer: the second offence with ten pounds, or six months imprisonment, and twenty pounds for a peer: but the third offence, after a trial by a jury, and the trial of a peer by his peers, the party convicted shall be transported to some foreign plantation, unless he lays down an hundred pounds. *Immedicabile vulnus ense rescindendum ne pars sincera trahatur.*”

The presbyterians were more numerous than all the other sects together. Since the king's restoration, they had never been accused of an insurrection against the government, or of entering into the plots of the anabaptists and republicans; and yet, by this act they were made liable to the same penalties as the other sects; and, on pretence that their religious meetings were nurseries of their opinions against the government

1664. government in church and state, they deserved to be transported to America, if they had the boldness to assemble three times. It seems, that by this extreme rigour, it was not so much designed to punish their pretended transgressions, as to drive them to despair, that they might render themselves guilty indeed.

Prorogation  
of the par-  
liament.  
Echard,

After passing these acts, the king prorogued the parliament to August, signifying withal, that it should not meet till November, unless some affair obliged him to assemble it sooner,

The king  
demands re-  
paration of  
damages.  
Bafnage.  
Echard,  
III. p. 127.  
Phillips.

This affair was the Dutch war, which the king had resolved. For that purpose, Downing presented to the states a memorial, drawn in very high terms, wherein he demanded, on the part of the king, reparation for the damages done to the English, which, by his calculation, amounted to seven or eight hundred thousand pounds sterling. After the most diligent search, I have not been able to discover the particular articles of these damages, except the two ships before-mentioned, and another article concerning the isle of Pole-ron, of which I shall speak hereafter. Wherefore, in imitation of the English historians, I am forced to leave the reader in the dark, with regard to the particulars of the damages on which the war was founded.

An ambas-  
sador sent  
from the  
states,

D'Estrades.  
Kennet.  
Echard,  
III. p. 127.

The king was bent on a war at any rate, whilst the states used all possible endeavours to avoid it. Nevertheless, not judging it proper to treat with Downing, who behaved to them with great haughtiness, they said in answer to his memorial, that they would send an ambassador to the king. Accordingly, they dispatched Van Goch, who had his first audience of the king the 25th of June. As he was speaking, at this audience, of the Trade of Africa and the West Indies, the king interrupted him, and said, it was not to be suffered, that the Dutch West India company should pretend, by means of three or four ships, and a few forts on the coast of Guinea, to exclude other nations from that commerce. The ambassador answered, the difficulties about that affair were terminated by the last treaty, and it ought to be examined, whether the Dutch had acted contrary to it. Afterwards, the states being informed of the hostilities committed by Holms at Cape Verde, and in Guinea, their ambassador complained to the king, who answered, he had not the least knowledge thereof. Some days after, the ambassador presented a large memorial on that subject, with a fresh complaint, that the king had forbid the importation of Dutch commodities into England. The king gave the same

p. 128.

D'Estrades.

same answer, as before, to the first article of the memorial, that he had no knowledge of what was acting by Holms; and to the second, that the prohibition of commodities was upon the account of the plague then reigning in Holland. It appeared afterwards, that the king pretended, the affair of Cape Verde and Guinea did not concern him, but was a private difference between the English and Dutch companies, and therefore it had not been necessary to inform him of it. But it will hardly be conceived, that the duke of York, as governor of the royal African company, should send a fleet of twenty one men of war to Guinea without the king's knowledge.

While Downing at the Hague and Van Goch at London, fruitlessly presented memorials upon memorials, the king was diligently equipping his fleet. As he wanted money, he borrowed one hundred thousand pounds of the city of London, who willingly lent him that sum, in the belief that he intended only the good of the English trade, by the destruction of that of Holland. The states, on their side, prepared for their defence, but not with the same vigour that their enemies were preparing to attack them. Their design was to gain time, in hopes, their fleets of merchantmen would return before the declaration of war; and the king's intention was to intercept those fleets before the publishing of any declaration.

The king discovered his design in a manner not to be mistaken. For sending his fleets to sea, under the command of the duke of York, as high admiral, the fleet met, in November, with the Dutch Bourdeaux fleet, homeward bound, laden with wine and brandy, and took one hundred and thirty ships, which were brought into England, and condemned for lawful prizes, though no war had yet been proclaimed. It is needless to reflect on the king's conduct, or on the judgment of the English admiralty. Every unprejudiced person will easily believe, that the law of nations was never more unjustly, or more manifestly violated. In vain do some historians endeavour to palliate this action with two reasons, which discover by their weakness, how much they themselves were persuaded of the reality of the injustice. The first is, that about the same time, Ruyter dispossessed the English of their factories at Cape Verde, and on the coast

R 4

of

g Though he had received, in the four first years of his reign, no less than two millions, eight hundred and sixty thousand pounds, according to R. Coke's

computation. Tom. 2. p. 137.

h This fleet consisted of sixteen men of war. Kennet's hist. tom. 3. p. 271.

1664. of Guinea. But, first, they take no notice, that these factories were mere usurpations of the English, who had the same year dispossessed the Dutch of them. Secondly, Ruyter did not recover the forts at Cape Verde, and on the coast of Guinea, till the following year 1665. For it must be considered, that Holms committed his hostilities at Cape Verde, in the months of August and September, and afterwards sailed to the coast of Guinea, where he seized several forts. This news must therefore be brought to Holland, the states must send to Ruyter in the Mediterranean to repass the straits, and sail to Cape Verde, and lastly, Ruyter must execute his orders, and the news of his expedition be carried to England. Now, if all this cannot be effected within the space of six weeks, how is it possible to justify the taking of the Bourdeaux fleet in November, on account of Ruyter's expedition to Cape Verde and Guinea, three months after? The second reason is, that the war was not the project of the king, but the voice of the people and parliament; as if, even on this supposition, the people and parliament were less obliged than the king to observe the law of nations. But this was not the only fault of that nature committed by Charles II. through a desire of money.

Charles refuses the French king's mediation.  
D'Estrades, Echard,  
III. p. 122.

p. 119, 120  
J. Phillips.

Mean time, the king of France apprehending he should at last be involved in the war by assisting the states, pursuant to the treaty of 1662, believed it incumbent upon him to use some endeavours to prevent it, and to that end offered his mediation to the two parties. The states willingly accepted it, but it was rejected by Charles, who said, he would enter into no negotiation till he had received entire satisfaction on his demands. He had now sent sir Richard Fanshawe to Spain, and the lord Holles to France, to endeavour to engage these two crowns in a war with the Dutch. But he succeeded neither at Paris nor Madrid. Nevertheless, he persisted in his resolution, to make war, though he had no other reason to alledge for it than the pretended depredations committed by the Dutch upon the English, the particulars of which were never known to this day.

Conjecture  
p. 90, the  
grounds of  
this war.  
Burnet.

When it is considered, with what animosity this war was undertaken and pursued, not only by the king, the duke of York, and the ministry, but even by the parliament, one can hardly help thinking, that they who excited this animosity, had some other secret end than that of supporting trade. But hitherto, conjectures only have been offered on this subject. Some say, the war ought to be ascribed to the duke of York's ambition, who was impatient to distinguish him-  
self,

self, by commanding, as lord high admiral, the king his brother's fleet. Others believe, the king finding his coffers empty, notwithstanding all the money given him by the parliament and that raised by the sale of Dunkirk, engaged by his intrigues the parliament to propose this war to him, to have a pretence of demanding extraordinary supplies which should not be all expended in the war. There are others who believe, the king, the parliament, the city of London, found this war absolutely necessary to humble the maritime power of the Dutch, who aimed to engross the whole commerce of Europe, as they had already done that of the Indies: that though the causes of the war were never fully made known, every one understood, it was a war occasioned by the jealousy of trade. Lastly, there are who suspect, that the project to introduce popery into England being now formed, the execution of it was only suspended till the Dutch were rendered unable to succour the English protestants, since it was only from them that they could receive assistance. I shall not take upon me to determine what were the secret motives of this war, which certainly was undertaken on very slight grounds, as will hereafter more fully appear<sup>1</sup>.

The parliament meeting the 24th of November, after two prorogations, the king made a speech to both houses upon the present affair, namely, the war with the states general. He said, that upon the stock of his own credit he had set out a fleet, not inferior to any England had ever seen, and which had cost him eight hundred thousand pounds. All this tended to demand of the commons a proportionable supply. He then added.

“ ——— I know not whether it will be worth my pains  
 “ to endeavour to remove a vile jealousy which some ill men  
 “ scatter

<sup>1</sup> Burnet says, he was very positively assured by statesmen of both sides, that the French set this war on in a very artificial manner; for while they encouraged us to insist on some extravagant demands, they at the same time pressed the Dutch not to yield to them; and as they put them in hopes that if a rupture should follow, they would assist them according to their alliance, so they assured us, that they would do us no hurt. — There was no visible cause of war. — France and popery were the true springs of these counsels. It was the interest of the king of France, that

the states should be in no condition to make a vigorous resistance, when he should be ready, either to invade them, or fall into Flanders. — The French did thus set on the war between the English and Dutch, hoping that our fleets should mutually weaken one another so much, that the naval force of France, which was increasing very considerably, should be near an equality to them, when they should be shattered by a war. The states was likewise the greatest strength of the protestant interest, and were therefore to be humbled. p. 198, 199.

1664. gun hostilities at Cape Verde and in Guinea in August and September. In short, he would have all the world believe, on his bare word, that the English had suffered grievous damages, without his vouchsafing to specify one single injury. This declaration was approved of by twenty two privy counsellors only, the earls of Southampton and Clarendon having been either unable, or unwilling to be present when it was resolved. It was dated the 22d of February, but was not published till the 2d of March.

Kennet,  
p. 272.  
Echard.

The parliament prorogued.

The king having notice that some bills were ready for the royal assent, came to the parliament the 2d of March, and after passing the bills, which were of no great importance, he prorogued the parliament to the 21st of June. Afterwards, he continued the prorogation to the 1st of August, and then to the 9th of October.

The clergy give up their right of taxing themselves.  
Burnet.  
Echard.

In this session the clergy voluntarily resigned their right of taxing themselves in convocation, and from this time have been taxed in common with the people in parliament. This has made convocations less necessary to the king, and consequently less considerable in themselves<sup>1</sup>.

1665.  
Echard.  
Kennet.

The war being declared, the duke of York, in the end of March, repaired to the fleet which he was to command, consisting of one hundred and seven men of war, and fourteen fire-ships. But as the fleet was not yet ready, he could not sail till May.

The king of France's conduct with regard to the war between England and Holland.  
D'Estrades.

Some time since, the states, perceiving a war unavoidable had pressed the king of France to declare against England, pursuant to the treaty of 1662, but had not yet prevailed. Charles on his side solicited him to abandon the states, and allured him with very tempting advantages. So, Lewis was not a little embarrassed. He was desirous to keep fair with the king of England, whom, he foresaw, he might want;

<sup>1</sup> It being found, by experience, that their whole subsidies were inconsiderable, and yet unequally heavy on the clergy, it was resolved, on, hereafter, to tax the church benefices; as temporal estates were taxed; which proved indeed a lighter burden, but was not so honourable as when it was given by themselves. Yet interest prevailing above the point of honour, they acquiesced in it. So the convocations being no more necessary to the crown, this made that there was less regard had to them afterwards. They were often discontinued and prorogued; and when

they met, it was only for form. Burnet, p. 197. — The custom of the clergy's taxing themselves was broken during the late troubles. For then the clergy, either out of voluntary compliance, affectation of popularity, or because they wanted proxies, to represent their body, had their benefices taxed with the laity. This the court found, after the restoration, to be an easier thing, than to have two bodies of men to please. And therefore intended to deprive the clergy of that right, if they had not voluntarily relinquished it.

1665.

want; and, on the other hand, if he abandoned the states, there was danger of their being overcome, and of pensionary De Wit losing all his credit. This could not happen, without a change of the government, the re-establishment of the young prince of Orange, and the king of England's being in effect master in Holland. It was through the sole influence of the pensionary that the states were attached to the interests of France, and consequently his fall could not but be extremely prejudicial to that kingdom. The course therefore which Lewis took on this occasion, was to gain time, one while by cavilling at the terms of the treaty of 1662, another while, by giving hopes to the states of his declaring against England, and lastly, by a splendid embassy to London, with the duke of Verneuil at the head of it, to mediate a peace between England and Holland. In order to know his situation, let us hear what he says himself in a letter to count d'Estrades his ambassador at the Hague, dated the 19th of December 1664.——“ However, I own, “ I am a little embarrassed, considering, if I literally execute the treaty of 1662, I shall very much prejudice my “ principal interest, and this, in favour of a nation, which “ not only will never be serviceable to me, but which I “ shall find opposite in the only case where I should want “ them, and then, the assistance I shall have given them, “ will turn against me. Besides this, I lose England, which “ is upon the point of concluding a strict alliance with Spain, “ in case I reject her offers, and these offers, for I may trust “ you with the secret, are a carte blanche in every thing I “ can desire for the Netherlands, without one inch of land “ expected for England. Besides the king of England himself suggests to me, how to avoid with honour assisting “ the Dutch. He pretends, they are the aggressors: that “ he has a right to the forts, they have seized in Guinea: “ that they first armed: that they have made a national “ quarrel for a private dispute between two companies, which “ they should have been suffered to decide: that they committed the first act of violence in ill treating one of his “ ships laden with masts from Sweden. That however, I “ am only engaged for what passes in Europe, that it is visible all the differences, except that of Guinea, are easy “ to be adjusted. That it is not reasonable, their capricious “ obstinacy to maintain a country for which I am not engaged, should kindle a war in these parts, because as I am “ not obliged for the principal, I cannot be so for the accessions and dependencies. I omit how I was served by “ the

His letter  
to the count  
d'Estrades.

1665. "the states at Munster, &c. What I now write must be  
 "a secret."

Reflections  
 upon this  
 letter.

I cannot forbear making some remarks on this letter.

First it shows, the king of France did not excite the war between England and Holland, as most of the English historians pretend.

Secondly, if Charles had really intended the welfare of his kingdom in undertaking this war, he would not have offered the king of France a carte blanche for the Netherlands, in order to accomplish the destruction of Holland. This was a thing directly contrary to the interests of England, and very different from the satisfaction demanded for the injuries, his subjects might have received from the Dutch.

Thirdly, in what Charles alledged to Lewis, there appears no proof, that the Dutch were the aggressors, nor any thing of the pretended damages of eight hundred thousand pounds; but that the principal point in dispute was the propriety of some forts on the coast of Guinea, which, according to him, was an affair between the two companies, and that the rest was easy to be adjusted.

Fourthly, Charles supposes the states to have made it a national quarrel, by sending Ruyter to Guinea; but that he had not concerned himself with the affair, because Lawson had been sent with twenty one sail, in the name of the duke of York, and the royal African company.

Lastly, the states had no reason to expect much assistance from France, unless the chance of war should render it necessary for them, or the king of France find some considerable advantage in espousing their quarrel.

It was therefore to gain time that the embassy was sent to London, because Lewis pretended, that as long as there was any hope of an accommodation, he was not obliged to declare against England. Now whilst his ambassadors were at London, he could say, that the hope of a reconciliation was not entirely desperate. He managed so artfully, that he kept them there till the end of the year 1665, declared not against England till January 1666, and his declaration was of little service to the states.

The duke of  
 York sails  
 out with the  
 English  
 fleet.  
 Kennet.  
 Richard.

The duke of York sailed with the English fleet in May, and before the Dutch could be ready, alarmed the coasts of Holland. He continued a fortnight near the Texel, to prevent the fleet of Holland from joining that of Zealand, in which he could not fail of success. In the mean time, he took several Dutch homeward bound ships, who had not been

been informed of the war. However, as the war was not made only to hinder this junction, the duke at last failed away with design to meet Ruyter, who was returning to Holland by order of the states. But finding, his provisions were consumed upon an uncertain expectation, he retired with his fleet to Harwich, contenting himself with sending some frigates to cruise in the channel, and bring him intelligence of the enemy<sup>m</sup>.

Mean while, the Holland and Zealand squadrons joined and formed a fleet of one hundred and twenty one men of war, besides fire ships, under the command of Obdam de Wassenaer. He had under him Cortenaer vice admiral of the Maese, Evertzen vice admiral of Zealand, and Cornelius Tromp son of the famous Martin Tromp. The rear admirals and captains were very far from answering to their superiors in capacity, more care having been taken to fill these posts with the relations and friends of those, whom the pensionary wanted to preserve his credit, than with experienced officers. So, except fifteen or sixteen captains, the rest were unexperienced. This is a misfortune to which republicks are more liable than monarchies. Though De Wit managed the affairs as he pleased, he had for enemies all the party of the house of Orange, who were spies upon his conduct, and misrepresented all his proceedings, in order to ruin him. The pensionary was not ignorant of it, and therefore believed, the only way to secure himself, and preserve his authority, was to hazard a sea engagement. Success would disarm the malice of his enemies, and the loss of a battle would of course oblige the French to execute the treaty of 1662, and silence the complaints and murmurs of the Orange party, who industriously published, that Lewis only amused the states. Agreeably to this resolution, which the pensionary caused the states to approve, an order was sent to Obdam, to go in quest of the enemy. He obeyed, and came in sight of them the 1st of June, not far from Harwich. But the wind being southerly, and the next morning south-west, he retired to the mouth of the Maese. He acquainted the states by an express, with the reason of his retreat, and that he did not think proper to attack the English while they had the advantage of the wind. But he received still more positive orders to fight let the wind be as it would,

The fleet of the states.  
Bassnage.  
Kennet.  
Echard.  
Put under the command of Obdam.

Who receives orders to fight.  
Bassnage.

m By the duke's seizing from the coast of Holland, the enemy took the advantage of intercepting the Eng-

lish Hamburg fleet. Echard, tom. 3. p. 134.

1665. would, on peril of answering it with his head. After to express an order, there being no way to recede, he weighed anchor at break of day, and within an hour discovered the English fleet divided into three squadrons. The first under the red flag, was commanded by the duke of York, assisted by Penn and Lawson. The second being the white squadron, was conducted by prince Rupert, assisted by Minnes and Sampson. The third which was the blue squadron, was commanded by the earl of Sandwich, who had with him Cuttings, and sir George Ascough.

Echard,  
III. p. 133.

Sea fight  
gained by  
the English.  
Death of  
Obdam.  
Bainage.  
Echard.  
Kennet.  
J. Phillips.

I shall not pretend to describe this engagement, fought the 3d of June, for which I own myself unqualified. I shall therefore only say, the Dutch fleet was overthrown, chiefly by the ill conduct of several captains who were wanting in their duty; by the death of Obdam, who with his ship and all his men were blown up; by the loss of Cortenaer who was killed upon the deck after hoisting the admiral flag, and by many other causes which are scarce intelligible but to those who are versed in sea affairs. The Dutch lost nineteen ships burnt and sunk, with about six thousand men<sup>n</sup>. On the English side, the loss was only of four ships, and about fifteen hundred men, among whom were Charles Berkley earl of Falmouth, admiral Sampson, James Ley earl of Marlborough, and vice admiral Lawson, who died shortly after of his wounds<sup>o</sup>. The remains of the Dutch fleet retired to the Maese or the Texel, and were pursued all the next day being Sunday, though, according to some, the duke of York did not in the pursuit, discover the same ardour he had shown in the battle. See what dr. Burnet bishop of Salisbury says of it in his posthumous history of his own times.

Burnet,  
p. 218.

That famous historian says, “ After the fight, a council of war was called to concert the method of action when they should come up with them. In that council, Penn, who commanded under the duke, happened to say, that they must prepare for hotter work in the next engagement. He knew well the courage of the Dutch  
“ was

<sup>n</sup> Our historians say, that we lost but one ship; and that the English took eighteen Dutch men of war, and sunk and fired about fourteen more. They also took two thousand sixty three prisoners, whereof sixteen were captains. See Burchett, p. 398. Echard, tom. 3. p. 134.

<sup>o</sup> And likewise the lord Muskerry,

and sir, Boyle, the earl of Burlington's second son, these two, with the lord Falmouth, were killed with the same cannon ball, just by the duke of York, and so near him, that he was sprinkled with their blood and brains. The earl of Portland was likewise killed. Burchett, p. 398.

" was never so high as when they were desperate. The  
 " earl of Montague, who was then a volunteer, and one of  
 " the duke's court, said to me, it was very visible that made  
 " an impression: and all the duke's domesticks said, he had  
 " got honour enough: why should he venture a second  
 " time? The duchess had also given a strict charge to all  
 " the duke's servants to do all they could to hinder him to  
 " engage too far. When matters were settled, they went  
 " to sleep; and the duke ordered a call to be given him  
 " when they should get up to the Dutch fleet. It is not  
 " known what passed between the duke and Brounker, who  
 " was of his bedchamber, and was then in waiting; but  
 " he came to Penn as from the duke, and said, the duke  
 " ordered the sail to be slackened. Penn was struck with  
 " the order, but did not go to argue the matter with the  
 " duke himself, as he ought to have done, but obeyed it.  
 " When the duke had slept, he upon his waking went  
 " out upon the quarter deck, and seemed amazed to see  
 " the sails slackened, and that thereby all hope of over-  
 " taking the Dutch was lost. He questioned Penn upon it.  
 " Penn put it on Brounker, who said nothing. The duke  
 " denied he had given any such order. But he neither pu-  
 " nished Brounker for carrying it, nor Penn for obeying  
 " it. He indeed put Brounker out of his service, and it  
 " was said, that he durst do no more, because he was so  
 " much in the king's favour and in the mistress's. Penn  
 " was more in his favour after that than ever before, which  
 " he continued to his son after him, though a quaker. And  
 " it was thought, that all that favour was to oblige him to  
 " keep the secret. Lord Montague did believe, that the  
 " duke was struck, seeing the earl of Falmouth the king's  
 " favourite, and two other persons of quality killed very  
 " near him, and that he had no mind to engage again, and  
 " that Penn was privately with him. If Brounker was so  
 " much in fault as he seemed to be, it was thought the  
 " duke, in the passion that this must have raised in him,  
 " would have proceeded to greater extremities, and not have  
 " acted with so much phlegm."

The duke of York seeing, it was in vain to continue the pursuit, retired to the coasts of England, and repaired to  
 Whitehall to receive the acclamations of the court and city  
 of London. The king appointed a day of thanksgiving  
 throughout the kingdom for the victory, and several medals  
 were struck in honour of the victorious duke of York, who  
 was

1665. was now in a very agreeable situation<sup>p</sup>. For besides that he was lord high admiral, governor of the cinque ports, and of Portsmouth, and had the benefit of the post office, and the wine licences, all which enabled him to keep a splendid court, he had still a much more considerable advantage. He begun to be considered as heir to the crown, the king his brother having no children by his queen. This attached many to him, and particularly the papists, who knew his religion, though he yet concealed it as well as the king.

The queen-mother returns to France. Echard. Shortly after, the queen-mother having resolved to pass the residue of her days in France, the king and the duke of York attended her in the Catherine yacht to the Nore, and there took their last leave of her. It is very likely, she was not pleased with having so small a share in the publick affairs, having been used to the contrary in the reign of the king her husband.

The English fleet put under the command of the earl of Sandwich, July. Echard. Burchett. However glorious this first sea fight of the duke of York might be, the king and council did not think it proper he should venture his person in a second engagement. Therefore the command of the fleet was given to Edward Montague earl of Sandwich<sup>q</sup>, who used his utmost endeavours to prepare it for the sea as soon as possible, in order to prevent that of the states, which was repairing with all possible diligence. Besides, the states, having appointed Ruyter to succeed Obdam, ordered him to return immediately with the fleet, consisting of seventeen men of war. The diligence used by the states to repair their fleet, was not so much to be revenged of the English, as to secure their merchantmen homeward bound from Smyrna and the East Indies. The English, on their side were less desirous to fight than to seize the riches which those fleets were bringing to Holland.

It

<sup>p</sup> One of these medals had on one side, the duke's effigy in bust, clad in a Roman mantle, with these words round it, JACOBUS DUX EBOR. & ALBAN. DOMIN. MAGN. ADMIRALIS. ANGLIÆ, &c. The reverse represented the admiral and whole fleet in an engagement, with these words, NEC MINOR IN TERRIS. June iii. MDCLXV. Another had on one side, the duke in bust, short hair, &c. with this inscription, JACOBUS DUX EBOR. & ALBAN. FRATER AUGUSTISSIMI CAROLI II. REGIS. The reverse, a

trophy, and ships engaged, with these words, GENUS ANTIQUM. See Evelyn's numismata.

<sup>q</sup> Sir George Ascough was vice admiral under him, and sir Thomas Tyndeman rear admiral. Of the whites, sir William Penn was admiral, sir William Berkley vice admiral, and sir Joseph Jordan rear admiral. And the blue flag was carried by sir Thomas Allen, whose flag officers were, sir Christopher Minnes, and sir John Harman-Burchett, p. 393.

It happened, in the mean time, that the Dutch Smyrna fleet, and several East India ships not daring to enter the Channel, retired to the port of Berghen in Norway, waiting for Ruyter to convoy them to Holland. Mean while, the king of Denmark, discoursing one day with sir Gilbert Talbot, the English envoy, made great complaints of the Dutch, who, he said had drawn the Swedish war on him, that he might be forced to have recourse to them for supplies of money and ships, and deliver to them the customs of Norway and the Sound for their security. Upon this the envoy told him, he had now a good opportunity of being revenged, by the seizure of their ships at Berghen, worth many millions. But the king answering, he wanted strength to execute such a design, the envoy told him, he doubted not but the king of England would lend him his ships, provided he was assured of equally partaking of the spoil; to which the king of Denmark consented. The king of England was pleased with Talbot's project, and sent orders to the earl of Sandwich to sail immediately and seize the Dutch ships at Berghen. The admiral readily obeyed, though he had received no intimation of the agreement between the two kings.

1665.  
Several Dutch ships retire to Berghen in Norway. Burnet, p. 222.

Arlington's letters. Echard, III. p. 1374 Burchett.

The kings of England and Denmark attempt to seize them.

To effect this design, it was absolutely necessary to inform the viceroy of Norway, and the governor of Berghen of it, that they might favour it, in feigning to protect the Dutch ships, the king of Denmark being unwilling to appear openly. Nor was it less necessary to acquaint the earl of Sandwich with it, to prepare him against the noise and complaints of the governor of Berghen, on account of the attempt and violence of the English. But several accidents ruined this affair. The governor of Berghen, who was to receive orders from the viceroy of Norway, was not informed soon enough. On the other hand, Talbot's express, sent from Copenhagen to the English fleet, was taken by the Dutch. In fine, the earl of Sandwich hearing Ruyter was shortly expected, and being desirous to perform the deed before his arrival, detached the squadron commanded by sir Thomas Tyddeman, who attacked the Dutch with great resolution. But they had now time to put themselves in a posture of defence. On the other hand, the governor of Berghen, who had not yet received any particular directions how to behave, seeing this open hostility, and observing that the shot from the English damaged the town, fired upon them from the citadel. In a word, this squadron was almost entirely ruined, and obliged to return to the fleet.

The project miscarries.

Aug. 3. But are disappointed.

1665.

The next day, the 4th of August, orders came to the governor of Berghen, but it was too late. It appeared, the king was not pleased with the earl of Sandwich's conduct, since, instead of continuing him in the command of the fleet, he sent him ambassador to the court of Spain.

Ruyter arrives in Holland.

Bafnage. Puts to sea. Echard. Kennet.

Burnet, p. 221.

Brings the ships from Berghen.

A great plague in London. Skinner. Baynard. Kennet.

Resigns of the republicans.

Ludlow, III. p. 166, &c.

Burnet, p. 226.

Made a handle to injure the presbyterians.

Mean while, Ruyter arriving in Holland with many English prizes, took the oath to the states as vice admiral general, after which he took the command of the fleet consisting of ninety three ships well equipped. But though he bore the title of admiral, three commissioners attended him, namely, De Wit the pensionary, Huygens, and Borreel, who had properly the command. The grand design of these commissioners was to meet the India fleet, which was to sail round Ireland, to avoid entering into the channel. But the wind was so contrary, that the fleet would not have got soon enough out of the Texel, if the pensionary, who understood sea affairs very well, had not by sounding it himself all over very carefully, found more ways to get out by different winds, than was thought formerly practicable. So the fleet at last sailed out, and appeared before Berghen, where the commissioners gave their orders for convoying the merchant men which were in that port. But it was not in their power to prevent a storm, which dispersed them, and threw twenty of them into the hands of the English. This storm obliged Ruyter and the commissioners to return to Holland, with their fleet very much damaged.

In the mean time, the plague raged dreadfully in London, where it first appeared about the middle of May. It is said, that in less than a year, it swept away, in that single city, above a hundred thousand persons. The king at first retired to Hampton Court, but afterwards, to be farther from London, resided at Salisbury.

It appears, that this year, the republicans had projected an insurrection, and were even encouraged by emissaries from the states general, who would have been glad to employ the king at home in domestic troubles. But this was a bare project, which served only to furnish the enemies of the non-conformists with an opportunity to magnify the danger with which the kingdom was threatened from the enemies of the church

r It is said, he got the ships out, by fastening empty casks under water to the sides of the ships, which helped to buoy them up.

s Together with twelve men of war, and two East India ships. Echard,

tom. III. p. 141.

t There died of it sixty eight thousand five hundred and ninety six persons, Strype's contin. of Stow's survey, B. I. p. 226.

church in general, and to include, in that number, the presbyterians, though they were not concerned in the republican projects. 1665.

It was not only against England that the states general had to defend themselves. Charles had raised them another enemy who had no less embarrassed them. This was the famous Bernard Van Ghalen, bishop of Munster, who, upon very slight pretences, entered the province of Overysseel at the head of an army paid by the English. He made himself master of a great many small places, and then attempted to surprise Groningen, but was repulsed. At last, before the end of the campaign, the king of France, and the dukes of Lunenburg having sent a powerful assistance to the states, the bishop was forced to relinquish his great projects, and think of a peace, especially as the money promised by the king of England was not regularly paid.

The bishop of Munster falls upon the Dutch. Temple's letters. J. Phillips.

The parliament, which had been prorogued to the 9th of October, met on the day appointed, but at Oxford, on account of the plague which still raged in London, whereas it did not much infect other parts of the kingdom. In his speech to both houses, the king told them, the supply of two millions five hundred thousand pounds granted him for carrying on the war, was already spent. He insisted particularly on the great sums paid to the bishop of Munster, for making a diversion in the bowels of his enemies country, though it appears in sir William Temple's letters, that these sums were never well paid.

The parliament meets at Oxford. The king's speech. Kennet. Echard.

After the king had done speaking, the chancellor, by his order, enlarged upon the same subject, to signify to the commons, that they could not dispense with putting the king in a condition to prosecute a war so glorious and necessary. Then, he spoke of the design formed by the republicans, for the subversion of the government. But, in aggravating with great warmth and eloquence the efforts and designs of these men, he took particular care not to distinguish them from the other sects of nonconformists. It was a constant artifice, as I have observed, to apply to the presbyterians, under the general name of nonconformists, all the actions and extravagancies of the independents, anabaptists, and republicans in general.

Another by the chancellor.

In a very few days, the commons voted the king a new supply of twelve hundred and fifty thousand pounds to continue the war; and one hundred and twenty thousand pounds to the duke of York, for the great service he had done to the nation.

Money granted the king. Echard.

1665.

The five  
mile act.  
Statute b.  
Burnet,  
p. 224.  
R. Coke.

After this, was brought into the house a bill, which passed without any difficulty, namely, "That no nonconformist teacher under what denomination soever shall dwell, or come, unless upon the road, within five miles of any corporation, or any other place where they had been ministers, or had preached, after the act of oblivion, unless they first took the following oath:"

I do swear that it is not lawful upon any pretence whatsoever to take arms against the king; and that I do abhor the traitorous position of taking arms by his authority against his person, or against those that are commissioned by him, in pursuance of such commissions; and that I will not at any time endeavour any alteration of government either in church or state<sup>v</sup>.

The reason alledged in the act to justify this severity was, that the ministers had settled themselves in the corporations, sometimes three or four in a place, and took opportunities to insinuate into the minds of the subjects, their poisonous principles of schism and rebellion, to the great danger of the church and kingdom.

Reasons urged against it.  
Burnet,  
Echard.

This bill met with great opposition in the house of lords, even from the earl of Southampton lord treasurer, though intimate friend of the earl of Clarendon, principal author of the persecution against the nonconformists<sup>w</sup>. Indeed, the oath required to be taken by the nonconforming ministers supposed a thing, which was not generally allowed, namely, that every good subject and good christian, was obliged in conscience to believe what was contained in this oath, otherwise it was absurd to impose it on the ministers. For there is a great difference between enjoining a certain practice, and obliging part of the subjects to swear that they believe it founded in religion and conscience, while the rest are left free, either to believe or not believe it. Accordingly the commons, being aware of the force of so pressing an objection, prepared a bill to oblige all the subjects to take the same oath. But the bill was thrown out, though only by two or three voices. At last, notwithstanding these difficulties, the act, called the five mile act, passed in the house of lords, and the king gave it the royal assent the 31st of October, as well as to the money bill and some others, after which  
ho

It passes.  
The parliament prorogued.  
Echard.

<sup>v</sup> The penalty was forty pounds, and six months imprisonment, unless they took the said oath before their commitment.

<sup>w</sup> As also from the lords, Wharton, Ashley, &c. Echard, tom. III. p. 149.

be prorogued the parliament to the 20th of February 1665-6.

Several writers have endeavoured to justify the rigour of the five mile act, and what they have said amounts to this. — That this rigour was occasioned more by the seditious behaviour of the nonconformists, than by the exercise of their religion. In which assertion the ambiguity of the word nonconformist is still retained, as if all the sects included under that denomination formed but one and the same body, united by the same common doctrines and interests, which is notoriously false. The presbyterians alone were considerably more numerous than all the other nonconformists together, and had doctrines and interests really separate from those of the other sects. They could not be, nor were they, accused of being engaged in the conspiracies, real or pretended, of the independents and anabaptists since the king's restoration, who had even positively promised, they should not be molested for their religion, after the great service they had done him. And yet, because their enemies had artfully included them in the general denomination of nonconformists, they were to partake of the punishment due to the other sects, who were called by the same name, though they had no sort of union with them. Wherefore the reader may judge, whether this severity did not partly arise from their religion. In short, by the sole ambiguity of the word nonconformist, the objections and just complaints of the presbyterians are pretended to be combated.

This same year, the council of Scotland shewed no less animosity against the presbyterians; on pretence of some insolence committed by Alexander Smith, a private minister, a proclamation was published the 24th of December, ordering that all the silenced presbyterian ministers should, within forty days, remove themselves and their families from the places where they had been ministers, and not reside within twenty miles of the same, or within six miles of Edinburgh, or any cathedral church, nor within three miles of any royal borough, nor should be more than two together in the same parish, on pain of incurring the penalties of the law against movers of sedition. I own, I see no other difference between sentencing men to death, and putting them out of a capacity to live, unless, that the latter punishment offers those who inflict it a more exquisite vengeance. But this rigour will appear the more extreme, if it is considered that the presbyterians made properly the body of the Scotch nation<sup>2</sup>.

<sup>2</sup> This year died Montague Bertie, earl of Lindsey, and sir Kenelm Digby.

1665-6. In the beginning of the year 1666, the king's affairs were in an ill situation. The king of France, pressed by the repeated instances of the states general, recalled his ambassadors, and published the 19th of January a declaration of war against England. This was not owing to his belief that the affairs of the states were desperate, (for the sequel showed they could defend themselves without his assistance) but because the pensionary, who was entirely attached to his interest, could no longer support himself without this declaration, which, as will hereafter appear, was not very prejudicial to England.

France declares war against England.  
D'Estrades.  
Temple.  
Echard,  
III. p. 156.

On the other hand, the states found means to secure the king of Denmark, by the promise of paying him yearly, as long as the war with England should continue, fifteen hundred thousand florins, three hundred thousand of which were to be paid by the king of France. For this he engaged to maintain a fleet at sea of thirty men of war for the service of the allies.

The king of Denmark joins with the states.  
Ibid.  
Basnage.

The states also raised so many enemies to the bishop of Munster, that he was forced to make peace and disband his forces. This peace was concluded at Cleve, and signed the 18th of April.

The bishop of Munster makes a peace with the states.  
1666.

The naval war was renewed in 1666, with all these disadvantages to England. If the king of France had acted with the sincerity the states thought they had reason to expect, very probably the English fleet would not have ventured to appear with unequal force against the united fleets of France and Holland. But Lewis XIV. as I have said, only declared war against England to save mr. De Wit, who was just sinking, as appears in several letters of count d'Estrades. The pensionary being secure by this declaration, it was not difficult for the king of France to find pretences for retarding the assistance he had promised the states. Though his declaration was published the 19th of January, the fleet which he promised should join that of the states, was in the Mediterranean, under the command of the duke of Beaufort, who, by accidents, real or pretended, arrived not at Belle-Isle till the end of September.

On the other hand, the king of Denmark, without a junction of his fleet with that of the states, contented himself with guarding his own coasts. So, this year, as the last, the war by sea was carried on between England and the states only.

War proclaimed against France.

The king returning to London the 1st of February, proclaimed war against France, on the 10th.

A few

A few days before, the queen miscarried, which entirely destroyed the common report, that she was incapable of having children. 1666.

The command of the English fleet was given to prince Rupert and the duke of Albemarle. They repaired to it the 23d of April, but were not ready to sail till the end of May. It consisted of seventy eight ships of the line, besides frigates and fireships. In all appearance, the king was till then ignorant of the French king's secret intentions. But he knew, the duke of Beaufort had orders to repair to Belle Isle with his fleet, said to consist of thirty six sail, to join the Dutch fleet in the channel. Wherefore, he sent express orders to prince Rupert to sail with twenty great ships, and join ten more at Plymouth, in order to go in quest of the duke of Beaufort, which the prince immediately obeyed. It cannot well be denied, that this order was sent with too much precipitation, and without due consideration. For, besides that the English fleet could, without danger, have waited for the French, which could not, with safety, have ventured to pass so narrow a sea as the channel, while the English should be in their station, the French fleet was yet in the Mediterranean, when the order was sent to prince Rupert, and that of Holland upon the point of sailing out of their ports. The king had afterwards reason to see how unseasonably this order was given.

The queen miscarried. Prince Rupert and the duke of Albemarle command the English fleet. Echard. Skinner. Burchett. Kennet. Prince Rupert rashly ordered to fight the French fleet. Echard. Bainsage.

The fleet of the states, commanded by Ruyter, put to sea with seventy one ships of the line, twelve frigates, thirteen fireships, and eight yachts, and anchored between Newport and Dunkirk. Ruyter had under his particular conduct the squadron of the Maese: that of north Holland and Friesland was commanded by Evertzen, and that of Zealand by Tromp. The English having a fair wind, failed to attack the enemy, who, on their side, cut their cables to be the sooner ready to receive them. Tromp's ship was so disabled at the first, that he was obliged to leave it for another. The same thing happened to Ruyter, who was coming to his assistance, and the powder of a Dutch ship taking fire, she blew up into the air. Ruyter sunk an English ship of fifty guns, then another of seventy, and afterwards three others of the first rate. In short, this first day, the advantage was wholly on the side of the Dutch, except

A sea engagement. La Neuville. hist. de Hollande. Bainsage. Echard.

y Sir George Afcough was admiral of the white, and Sir Thomas Allen of the blue. Echard, tom. III. p. 159.

1666. cept that they lost vice admiral Evertzen, who was killed by a cannon ball.

The fight, interrupted by the night, was renewed early the next morning, but, after lasting some hours, was discontinued till noon by reason of a calm. After that, the wind rising, both fleets renewed the engagement with equal bravery. Tromp being once more obliged to change his ship, found himself so engaged in the English fleet, that he would have been infallibly taken or sunk, if Ruyter, by prodigious efforts, had not brought him off. This second day, the English had still the disadvantage, by losing eight of their largest ships either sunk or burnt, and six taken, with sir George Afcough admiral of the white. The duke of Albemarle would have taken the advantage of the night to retire, but was pursued too closely to execute his design. So that he was obliged to fight all the next day, as he retired towards his own shore. About the evening, he discovered prince Rupert's squadron coming to his assistance. Whereupon the two English admirals attacked their enemies again the next morning. But this fourth day proved as unsuccessful to them as the three former. They lost four of their best ships, and were obliged to retreat with precipitation. A mist happily conveyed them from Ruyter's pursuit. In these four days the English lost twenty three great ships, besides several others of less note, six thousand men, and two thousand six hundred prisoners. Amongst the slain were sir William Berkley, vice admiral of the white squadron, and sir Christopher Minnes. The Dutch lost six ships, two thousand eight hundred soldiers, and fourscore sailors, besides the admirals Evertzen, Vander Hulst, and Stockhove, with some other officers. Though the victory was so evidently on the side of the Dutch, bonfires and rejoicings were made at London, as if the English had been conquerors.

Burnet,  
p. 229.

Disadvantage of the  
English.  
La Neuville.  
Bosnage.  
Echard.

Burnet.

Another engagement.  
Bosnage.  
Echard.

The two fleets soon put to sea again, and as they were in quest of each other, they met the 24th of July, and fought a furious battle, where the victory was obstinately disputed.

2 De Wit was on board the Dutch fleet, who was said to have invented chain shot on this occasion, which did incredible damage to the rigging of the English, and was a great means of the Dutch getting the advantage. And it is thought, if prince Rupert had not come up when he did, the English fleet was so unrigged, that they would have

been all taken and sunk, or burnt. And yet a day of thanksgiving was appointed. Burnet, p. 229. Echard says, the English had but nine men of war taken or burnt; and the Dutch lost above fifteen ships, twenty one captains, and above five thousand common seamen. Tom. III. p. 161.

1666.

disputed. The English fleet consisted of above a hundred sail; and the Dutch, of eighty eight ships of the line, besides nineteen fireships. While Ruyter, and young Evertzen, engaged the red and white squadron, Tromp after a long dispute routed the blue squadron, commanded by sir Jeremy Smith. But by an unpardonable error, instead of remaining with the fleet, he amused himself with pursuing the flying ships of the enemy. On the other hand, young Evertzen, who commanded one of the Dutch squadrons, was killed with a cannon ball, and his squadron entirely defeated. But the English admiral who fought against him, was not guilty of the same error as Tromp. Instead of pursuing the flying enemy, he joined the red squadron, commanded by prince Rupert and the duke of Albemarle, and these two squadrons attacked Ruyter, who nevertheless, by means of the night, disengaged himself. But the next day, he was obliged to sustain the fight alone against these two squadrons, there being no news of Tromp. He never in his whole life showed so much bravery and capacity as in this second engagement. He sustained, with his single squadron, the brunt of the two English squadrons, and at last retreated with such wonderful conduct, that he gained more honour by it than he would have done by a victory. The English leaving the chase in sight of Flushing, went after Tromp, who, though he was met off Harwich, recovered the Texel without any loss. Ruyter at his return, loudly complained of Tromp's conduct, and, to satisfy him, the states put Tromp under an arrest, dismissed him from his post, and put Van Ghent in his place.

Disadvantage of the Dutch.

Ruyter's brave retreat.

Tromp turned out of his post. Basnage.

About the time of these engagements between the English and Dutch, the duke of Beaufort arrived with his fleet at Rochelle, where he stayed to take in fresh water, which he greatly wanted.

The French fleet arrives at Rochelle.

As in the last engagement the Dutch fleet was dispersed, part retiring to Flushing, and part to the Texel, the duke of Albemarle finding himself master of the sea, detached twenty men of war to brave the coasts of Holland. Holms coming to the isle of Vlye, burnt a hundred merchant ships, and two men of war designed for convoys. Then he advanced to the isle of Schelling, and making a descent, burnt many houses in the little town of Brandaris. His design was to improve

The English make a descent upon Holland with great damage to the Dutch. Basnage. Skinner. Echard. Kennet, p. 282.

a According to Echard, there were about twenty Dutch ships sunk or burnt in this engagement; four thousand sea-

men killed, and near three thousand wounded. Tom. III. p. 162.

1666.

improve a treason carrying on in this isle by one Hemstirk, for which Buat a French gentleman, who secretly corresponded with the English, was beheaded at the Hague. But Holms not finding things ready as he expected, returned to the fleet.

The English  
fleet before  
the isle of  
Wight.

After this expedition, the English fleet sailed into the channel, and anchored at St. Hellens; the isle of Wight being the most proper station for hindering the junction of the French and Dutch fleets. Ruyter on his side posted himself in St. John's bay, near Boulogne, where he was seized by a distemper, which for some time was believed mortal. This obliged the states to recall their fleet, of which they gave notice to the king of France.

The Dutch  
fleet recalled  
on account  
of Ruyter's  
illness.

The duke  
of Beaufort  
passes and  
repasts be-  
fore the isle  
of Wight,  
without be-  
ing attacked  
by the Eng-  
lish.

Bainage.

Mean time, the duke of Beaufort, ignorant of the retreat of the Dutch fleet, left Belle-Ile, where he arrived about the 20th of September, and entering the channel, safely sailed by the isle of Wight, without being attacked, and got into Dieppe. He staid there a whole day without hearing any news of Ruyter. At last, being informed, that the Dutch fleet was retired, he sailed once more by the isle of Wight, without meeting with any opposition, and got into the ports of Bretagne. It is very surprising, that the English, who lay at the isle of Wight to prevent the junction of the two enemies fleets, should suffer that of France to pass and repass without molestation<sup>b</sup>. This may give occasion to suspect, there was some intelligence between France and England. But as I cannot trace it, I shall not insist upon it. But it plainly appears, the king of France, after having amused the Dutch a whole year on divers pretences, did not really declare against England till the 19th of January 1665-6, and still amused them all this year, with the hopes of the arrival of the duke of Beaufort, who entered the channel but in September, when the sea campaign was over. If to this be added, Lewis's unwillingness to succour the states, as appears in his letter to d'Estrades, there will be no cause to wonder at the little advantage received by the Dutch from the junction of France.

Manage-  
ment of  
Lewis XIV.  
Bainage.  
D'Estrades.

Project to  
excite trou-  
bles in Eng-  
land.  
Ludlow.  
Echard.  
Is dropped.

This year, the states had intended to assist the malecontents in England and Scotland, in order to give the English arms a diversion at home. This design was even communicated to the king of France. But he found so many objections to it, that it was suffered to fall unexecuted. Prob-  
ably,

<sup>b</sup> Three or four of the French ships  
se 1 among a squadron commanded by  
sir Thomas Allen, who took one of  
them. Echard, p. 163.

bly, the states had some correspondents among the republicans, who being partly discovered, a great noise was made, and, according to custom, all the nonconformists were charged with the plot.

1666.

The misfortune which this year befel the city of London, I mean the terrible fire which laid so great a part of that vast city in ashes, gave a fresh occasion to the enemies of the republicans, to charge them with being the authors thereof. This was only because the fire happened to break out the 3d of September<sup>c</sup>, a day esteemed fortunate by the republicans, on account of the victories of Dunbar and Worcester, obtained by Oliver Cromwell, when general of the armies of the commonwealth of England. To represent without any aggravation, the ravages made by this fire in London, I need only insert the inscription upon one of the sides of the column, erected on the place where the fire broke out. This column at London, is called the monument, and visited by all strangers, but they only who understand the English language, can read this inscription<sup>d</sup>.

London  
burnt.  
Strype's  
a<sup>d</sup>dit. to  
Stow.  
T. I.  
Kennet.  
Echard.

" In the year of Christ 1666, the second day of September, at the distance of 202 feet (the height of this column) a terrible fire broke out about midnight, which, driven on by a high wind, not only wasted the adjacent parts, but also very remote places, with incredible noise and fury. It consumed eighty nine churches, the city gates, Guildhall, many publick structures, hospitals, schools, libraries, a vast number of stately edifices, thirteen thousand two hundred dwelling houses, four hundred streets. Of the six and twenty wards it utterly destroyed fifteen, and left eight others shattered and half burnt. The ruins of the city were four hundred thirty six acres, from the Tower by the Thames side, to the Temple church, and from the north-east gate, along the city wall, to Holborn-bridge. To the estates and fortunes of the citizens, it was merciless, but to their lives very favourable, that it might in all things resemble the last conflagration of the world. The destruction was sudden, for in a small space of time the same city was seen most flourishing, and reduced to nothing. Three days after, when this fatal fire had baffled all human counsels and endeavours in the opinion of all, it stopped, as it were, by a command from heaven, and was on every side extinguished."

Inscription  
upon the  
monument.

Men

<sup>c</sup> This fire broke out the 2d of September.

<sup>d</sup> All the inscriptions, except that round the pedestal, are in Latin.

1666.

Conjectures  
upon the  
authors of  
this fire.  
Echard.  
R. Coke.

Men failed not to give a scope to their imagination, and to form conjectures upon the causes and authors of this fire. The pious and religious ascribed it to the just vengeance of heaven, on a city, where vice and immorality reigned so openly and shamefully, and which had not been sufficiently humbled by the raging pestilence of the foregoing year. Some again, as I have said, ascribed this misfortune to the malice of the republicans; others to the papists. And there were some so bold, as even to suspect the king and the duke of York. But though several suspected persons were imprisoned, it was not possible to discover, or prove, that the baker's house, where this dreadful calamity first broke out, was fired on purpose. However, one Robert Hubert a French huguenot<sup>e</sup>, native of Roan, and a lunatick, confessing himself guilty of this fact, was condemned and executed. But it appeared afterwards, by the testimony of the master of the ship, who brought him from France, that though he was landed at the time, he did not arrive in London till two days after the fire began. It is pretended likewise, that a Dutch boy, ten years of age, confessed, that his father, and himself, had thrown fire-balls into the baker's house, through a window that stood open. But, besides the objection which may be made to this testimony from the boy's age, there must have been some circumstance in his narrative, not agreeable to the fact, since it was not thought proper to make a farther enquiry. Perhaps this was only a groundless report.

Extract  
from Burnet's history  
relating to  
this fire,  
p. 231.

But that which gives most cause to believe this fire did not happen casually, is, the testimony of dr. Lloyd, afterwards bishop of Worcester. That prelate told dr. Burnet,——  
“ That one Grant a papist had some time before applied  
“ himself to Lloyd, who had great credit with the countess  
“ of Clarendon (who had a large estate in the new river  
“ that is brought from Ware to London) and said, he could  
“ raise that estate considerably, if she would make him a  
“ trustee for her. His schemes were probable, and he was  
“ made one of the board that governed that matter; and by  
“ that he had a right to come as often as he pleased to view  
“ their works at Islington. He went thither the Saturday  
“ before the fire broke out, and called for the key of the  
“ place where the heads of the pipes were, and turned all  
“ the cocks that were then open, and stopped the water,  
“ and went away, and carried the keys with him. So when  
“ the fire broke out next morning, they opened the pipes in  
“ the

<sup>e</sup> Bishop Burnet, and some others, say, That he was a French papist, p. 230.

" the streets to find water, but there was none. And some hours were lost in sending to Islington, where the door was to be broke open, and the cocks turned; and it was long before the water got to London. Grant indeed denied, that he had turned the cocks. But the officer of the works affirmed, that he had, according to order, set them all a running, and that no person had got the keys from him besides Grant; who confessed, he had carried away the keys, but pretended he did it without design."

1666.

This is dr. Burnet's account, and agrees in the main with Echard's in his history of England. However, an anonymous author, who has writ against dr. Burnet's history, accuses him directly of falsehood, and asserts that "Grant was not one of the board till after the fire." But it is difficult to know, what regard is due to the testimony of this anonymous writer, whereas one can hardly help crediting that illustrious prelate, when he says, he had it from dr. Lloyd, that Grant was made one of the board before the fire, and that it was by his means. However, this great fire was generally imputed to the papists, and the rather, because several other things afterwards helped to confirm this suspicion.

The parliament meeting the 21st of September, the king, in a speech to both houses, told them, the money granted him had not sufficed to carry on the war, considering his two powerful enemies. He boasted of the great success with which God had been pleased to bless his arms, supposing his fleet to have been always victorious. Immediately after, the commons liberally voted the king a supply of eighteen hundred thousand pounds. Thus in the space of two years, this war cost the people of England five millions, five hundred and fifty thousand pounds; that is, above sixty millions of Dutch florins, and above seventy two millions of French livres, allowing thirteen livres Tournois to one pound sterling.

The king's speech to the parliament.  
Echard.

A large supply voted the king.

Mean while, the two houses beginning to discover, that the king was not the zealous protestant he affected to appear; that the papists had great influence in his council, and that their religion made a visible progress, presented to him an address for executing the laws against popish priests and jesuits, who were labouring to pervert his subjects. The king, according to the method of his father, grandfather, and his own, immediately published a proclamation for banishing the priests and jesuits, on pain of being punished according to law, if found in the kingdom after the 10th of December. So banishment was the worst that could happen

The parliament addresses the king against the papists.  
Echard, III. p. 169.

Proclamation against jesuits, &c.  
Nov. 10.  
Ibid.  
Kennet.

1666. To them, even supposing the king's order should have been executed. But the more rigorous the proclamations were, the more favourable was the execution. This manifestly appears in their being so often repeated. But to give a more convincing proof of the court's disposition in this respect, I shall here produce a passage in a letter to the earl of Sandwich, ambassador at Madrid, from secretary Bennet, lately created earl of Arlington, a reputed papist, though he professed the protestant religion. In this letter he told the ambassador, "Your excellency knows sufficiently the  
 "springs upon which the animosity to the Roman catholicicks rises, and how hard it is for his majesty to forbear declaring against them, when the complaint arises from both houses of parliament, and accordingly you can yourself frame your answer to the queen of Spain."

An insurrection in Scotland, Echard.

is quelled.

Made use of to brand the English presbyterians.

Echard, III. p. 170.

Message sent from the king to the commons to hasten the money bill. Dec. 15. Echard. Lord Mordant accused

The rigour exercised against the presbyterians in Scotland caused some of the most impatient to rise in arms to the number of fifteen hundred, and form a regular body with officers in proportion to head them. Probably, they hoped, if they should gain some advantage to be joined by their brethren. But in their first action with the king's forces, they were dispersed with the loss of three hundred men, and one hundred prisoners, who were most of them executed. It was not forgot to say that they held intelligence with the English presbyterians, and, if they had gained the victory, the like insurrection would have appeared in England. But it may easily be judged, that the presbyterians in England would not have been spared, if they could have been proved guilty, considering how the government stood affected towards them. Inconsiderable as this insurrection was, the English historians have been pleased to represent it as very important, in saying, the nation was suddenly alarmed with an insurrection of the presbyterians in Scotland, with whom it was not doubted those of England held a strict correspondence. These authors are to be forgiven for not being willing to miss the first opportunity to include the English presbyterians in these conspiracies, though it be only on the authority of a "it is believed."

The king was impatient for the dispatch of the money bill, of which it seemed the commons took no farther notice. He therefore thought it necessary to quicken them by a message. He likewise told them, he could not permit any adjournment at Christmas, except for the principal holidays. But this message, it seems, produced no great effect. The commons were then examining complaints against the lord Mordant, governor

governor of Windsor castle, who was accused of some arbitrary and tyrannical actions. But neither this affair, nor the money bill could be finished before the conclusion of the year. 1666.

The parliament met the 2d of January, after a short adjournment, and immediately the commons accused the lord Mordant, at the bar of the lords house, and then preferred articles of high crimes and misdemeanors against him. But they were displeased, that the accused was suffered to be within the bar of the house, whilst his accusation was reading. This occasioned a dispute between the two houses. There was also another difference between them, concerning the commissioners appointed by the commons to levy the poll tax, and to take the publick accounts on oath. This was the subject of several fruitless conferences<sup>1</sup>. 1666-7.

The king came to the parliament the 8th of January, and gave the royal assent to the poll bill, but complained of the nomination of commissioners, as a mark of their distrust of him<sup>2</sup>. Echard, III. p. 172, 173.

The misunderstanding between the two houses still continuing, the king came to the parliament the 8th of February, and after passing several acts, he assured them, the money granted should be laid out for the ends it was given. Then he prorogued the parliament to the 10th of October. The acts passed were; an act to continue for eleven months, the monthly assessment of seventy thousand pounds, which with the poll tax, was conceived sufficient to make good the eighteen hundred thousand pounds, granted to the king. The other acts concerned chiefly the new buildings in London, which were finished sooner than could be expected, and in a manner more beautiful and regular than before the fire<sup>3</sup>. The petition presented, prorogued. Money act, Statute-b. Act for rebuilding London.

It is now time to speak of the peace between England and Holland, which was now, though very secretly, negotiating, at the time the parliament granted eighteen hundred Steps taken by the states towards a peace. Basnage. D'Estrades. Echard.

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<sup>1</sup> Rapin has expressed this affair very confusedly, and therefore it is somewhat altered in the translation.

<sup>2</sup> He gave his assent at the same time to a bill for burying in woollen. See Statut. 13 Car. II.

<sup>3</sup> To this end, a bill was now passed, for laying twelve pence upon every chaldron, and twelve pence upon every tun of coals, that should be brought into the port of London, for ten years,

the better to enable the lord mayor and aldermen to recompense those persons, whose grounds should be taken from them, in order to enlarge the streets, &c. — And about this time was set up an office for insuring houses from fire, which was principally contrived by dr. Barbon, one of the first and most considerable rebuilders of the city. Echard, tom. III. p. 177.

1666-7. dred thousand pounds for carrying on the war. In November 1665, before the king of France had declared against England, the states, for a foundation of peace, had offered the king one of these two conditions, either that each of the parties should restore what had been taken, or both keep what they were possessed of. This was a sure way to obviate all difficulties which might occur in the negotiation of peace. Besides, the last of these conditions was very advantageous to England, by reason of the great number of ships taken from the Dutch before even the war was proclaimed. This offer was renewed at Paris about the middle of the year 1666, in a conference there between mr. de Lyonne, the lord Holles the English ambassador, and mr. Van Beuninghen envoy from the states. Probably, Charles expected greater advantages in the continuance of the war, since he returned no answer to this offer. He only complained of its obscurity, without signifying wherein it consisted. Nevertheless, he received this advantage from it, that he knew how the states were disposed, and what he could depend on: so that it was in his power to make peace whenever he should think proper. The 17th of September the same year, the states repeated the same offer in a letter to the king. But as this was when the parliament was going to sit, and when the king expected a large supply for carrying on the war, he did not think fit to embrace it. He contented himself with signifying to the states in a letter of the 4th of October, his dissatisfaction at their proceedings, and at the calumnies they had raised against him, in accusing him of being the aggressor, and rejecting all proposals for peace. Then he largely justified himself upon what had been alledged by the states against him. But the most important part of this letter was the king's positive assurance that he had accepted the mediation of Sweden. A place therefore to treat was to be agreed on. The choice of this place afforded the king a pretence to defer the negotiation some months. He was at first for having the peace negotiated at London, to which the states would have readily consented, if the kings of France and Denmark had believed it consistent with their honour. Upon the representation made by the states, concerning the refusal of the two kings their allies, he answered, that he had no affair to negotiate with France, and complained of the king of Denmark for making war against him without any reason. He was so offended with that king, that he made no scruple to tell the states, it was at the instigation of Denmark, that he sent his fleet to Berghen, and

and agreed with him to divide the spoil. At last, the states 1666-7. left the nomination of the place to him, provided it was approved by their allies. The king accepted the offer, but insisted that the states should first write to him to testify that they would willingly have sent their plenipotentiaries to London, if the two kings their allies would have given their consent. This letter was writ, as he desired, the 13th of January 1666-7, and the king in his answer of the 20th, named the Hague for the place of conference. He knew, the pensionary would not accept it, on account of the cabals which the English ambassadors might make against him in favour of the young prince of Orange. Accordingly De Wit privately caused the king of France to reject the proposal.

All the king's proceedings clearly show, he was desirous of peace, and as it was in his power he might have concluded it before the end of the year 1666. But too much haste would have deprived him of the eighteen hundred thousand pounds granted for the continuance of the war. This was the true reason of the difficulties raised by him concerning the place of congress, in order to gain time till the money bill was passed. After he had given his assent to the last bill for the continuation of the monthly assessment of seventy thousand pounds, all difficulties began to vanish. Seven or eight days after, the earl of St. Albans was sent to Paris to notify to the king of France, that Charles consented that things should remain in the state to which the chance of war had reduced them. He added however one R. Coke. condition, namely, that France should restore to him the isle of St. Christophers, and three other small islands in America, seized by that crown the last year. But this was a thing proper to be discussed at the congress, whereas the choice of the alternative made the essence of the treaty with the states. So, it may be said, that from this time the peace was in a manner concluded; nothing being wanted but the formality of a treaty.

Mean while, the king of France, to serve mr. De Wit, F<sup>ch</sup>ard, &c. in preventing the king of England from insisting upon his III. p. 180. nomination of the Hague, for the place of conference, thought of an expedient in which he succeeded. This was to name Dover for the place of congress. And when it was objected to, he added Breda, Bois-le-duc, and Maestricht, leaving to the king of England the choice of one of these four towns. At last, Charles having no longer interest to delay the peace,

1667. writ to the states the 18th of March, that he was willing to send his plenipotentiaries to Breda.

Peace treat-  
ed of at  
Breda.  
D'Estrades.  
Echard.  
Bainage.

The difficulty concerning the place of congress being removed, the next thing was to appoint ambassadors, and dispatch the passports. And it was agreed the conferences for the peace should begin the 10th of May. But the English plenipotentiaries arrived not at Breda till the 20th. These were the lord Holles, and Mr. Henry Coventry. From France came count d'Estrades, and Mr. Courtin; from Denmark, Mess. Klingenberg and Canisius, and from the states general, Mess. Beverninch, Hubert, and Yonstal. The mediators from the king of Sweden were, Mess. Fleming and Coet. But the last dying at Breda, during the conferences, count de Dhona, the Swedish ambassador to the states, took his place.

The confe-  
rences pro-  
longed by a  
misunder-  
standing.  
Bainage.

At the first opening of the congress a very obvious mistake was discovered, but which, in all appearance, had been connived at by the two parties for fear of obstructing the congress. In their letter to the king of England, the 17th of September, the states had made two proposals for peace, the second of which was that each should keep what he had taken, before or during the war. This was what the states had ever adhered to, without any variation. But the king in a letter to the states, the 24th of April 1667, said,—"We take this opportunity to declare to you, that we accept the choice proposed to us, that is, that each party shall keep whatsoever he has taken during this war, which being granted, we shall order our ambassadors to proceed in the present treaty, upon the foundation of that made between us in the year 1662."

It is manifest, that in the second condition proposed by the states, was included whatever had been acquired by either party, not only during, but before the war, and that in the king's letter was comprised only what had been taken during the war. Now the king, according to the terms of his acceptance, pretended, the states should make him satisfaction for the two ships, the Good Hope, and the Bon Adventure, taken, or sunk before the treaty of 1662. Moreover, he pretended, that as the States were obliged by the same treaty to restore to him the isle of Poloron in the East Indies, and as that isle was still in their possession, it should be delivered to him. These two articles were the principal subject of the disputes in the conferences of Breda, and

and retarded the conclusion of the treaty, to the great damage of the English, as will hereafter appear. The states kept to the terms of their offer, and the king to those of his acceptance.

I have already spoken of the two ships taken by the Dutch in the interval between the two treaties of the year 1659, and 1662. As for the isle of Poleron, the states pretended, they had restored it in form, and produced a receipt from the English officer, to whom it was delivered. But before this surrender, they had entirely dispeopled it, and cut down all the clove-trees, and in short had seized it again since the beginning of this war. But the king pretended, there were essential defects in the form of the restitution, and that the states were obliged to restore it by the terms of the treaty 1662. The importance of this isle consisted in that within four or five years it might be new stocked with clovetrees, if it was in the hands of the English, and so prove very prejudicial to the Dutch, who were masters of the whole spice trade.

To decide these two articles, from which both parties made it a point of honour not to recede, couriers were to be sent several times to London and the Hague, and those from London brought only stricter orders to the ambassadors to insist upon the two ships, and the isle of Poleron. But at length the king yielded the last, so that the whole negotiation was reduced to the satisfaction demanded for the two ships. It is not very surprizing, that the king should insist on this article. He had begun the war under the specious pretence of procuring reparation for all the damages done to his subjects, which he computed at seven or eight hundred thousand pounds sterling. To enable him to obtain this reparation by force of arms, the parliament had furnished him with five hundred and fifty-five thousand pounds. He had moreover taken sixscore ships, before the war was declared, and above fourscore since. In all appearance, he had not applied the product of these captures to the benefit of his subjects, who, according to his calculation, had lost seven or eight hundred thousand pounds, and for which the war was undertaken. He could not therefore well dispense with procuring the merchants, who had lost these two ships, the satisfaction demanded by them, without giving occasion to believe, this war had been undertaken for imaginary pretensions. For the pretensions concerning these ships were properly the only things that were specified. All the rest consisted in generals, the dis-

A difficulty relating to the isle of Poleron. Echard, III. p. 182. Bafnage.

Both parties intractable. The king recedes from his demand of Poleron.

1667.

cussion whereof was unnecessary, by reason of the choice proposed by the states. It was not that they feared a discussion, since they had offered it in the first of their two conditions. But it was the king's interest to avoid it, and accept the second condition. If he had embraced it, in the same terms as offered by the states, all the grounds of this war, so expensive to England, would have remained in obscurity. He could not therefore in honour but insist upon the only article, which could be considered as a just cause of the war, though it did not amount to ten thousand pounds sterling. Mean while, as since the offer of the states, he saw, he could make peace when he pleased, he thought it a needless expence to put to sea a powerful fleet, as he had done the two foregoing years, and that it was better to save the best part of the money granted for the continuance of the war. To this end, relying on the certainty of a peace, he laid up his great ships, and kept only a squadron of twenty sail, while the states continued their preparations as usual, in their uncertainty of the king's intention concerning peace.

Sent's no  
fleet out.

Mean time, the states seeing what difficulties the king formed upon an article of so little consequence, believed, or pretended to believe, he was averse to peace. They therefore resolved, either to force him to relinquish his pretensions, or at least to continue the war this summer with advantage, because they knew, that the king would have no fleet at sea.

The Dutch  
come into  
the mouth  
of the  
Thames.  
Bafnage.  
Echard,  
III. p. 182.  
Kennet.  
R. Coke.

Pursuant to this resolution, Ruyter sailed out of the Texel with fifty ships, and came the 8th of June to the mouth of the Thames, from whence he detached vice admiral Van Ghent, with seventeen of his lightest ships, and some fire-ships.

Burn several  
ships.

Van Ghent, the 10th of June, sailed up the Medway, made himself master of the fort of Sheerness, and after burning a magazine full of stores, to the value of forty thousand pounds, blew up the fortifications. This action alarmed the city of London; so that to prevent greater mischiefs, several ships were sunk, and a large chain put cross the narrowest part of the river Medway. But by means of an easterly wind, and a strong tide, the Dutch ships broke through the chain, and sailed between the sunk vessels. They immediately burnt three large ships, the Matthias, the Unity, and the Charles the Fifth, all taken from them in the present war, and carried away with them the hull of the Royal Charles, besides burning and damaging several others

others. After this they advanced as far as Upmore castle, and burnt the Royal Oak, the Loyal London, and the Great James. The English fearing all the Dutch fleet would sail up to London bridge, sunk [thirteen] ships at Woolwich, and four at Blackwall, and platforms furnished with artillery to defend them, were raised in several places. The consternation was very great, and the complaints were no less so. It was openly said, the king out of avarice had kept the money so generously given him to continue the war, and left his ships and subjects exposed to the insults of the enemy, though he had exclaimed against the injustice done him, in believing him capable of such an action. The king was under an inexpressible concern, as well for fear of greater damage from the Dutch fleet, as for the mortification this affair gave him, and the shame of having nothing to say to the murmurs of his people. Besides he could not but reproach himself for being the cause of this insult, by insisting too long upon an affair of ten thousand pounds, and thereby retarding the conclusion of the peace.

Sail up as far as Chatham.

The king is very much mortified.

After this exploit, Ruyter sailed to Portsmouth, with a design to burn the ships in that harbour; but finding them secured, he sailed to the west, and took some ships in Torbay. He then sailed eastward, beat the English before Harwich, and chased a squadron of nineteen men of war commanded by Sir Edward Spragg, who was obliged to retire into the Thames. In a word, he kept the coasts of England in a continual alarm all July, till he received the news of the conclusion of a peace.

Other exploits of Ruyter. Basnage. Echard, III. p. 187.

This event had so changed the face of affairs, that the English ambassadors at Breda grew more pliant, and were easily persuaded to yield the article of the two ships. It was however with the reservation of the king's approbation, before the signing of the treaty. For this purpose, Coventry, after all the articles were settled, passed into England the 2d of July, and returned the 8th with the king's approbation, and the 21st the treaty of peace was signed. It was divided however into three separate treaties, by reason of some inconveniencies which would otherwise have followed. But by a writing signed by all the plenipotentiaries, it was declared, that the three treaties should be esteemed but one and the same.

The peace concluded at Breda. Id. p. 187.

Collect. of Treat. t. I. p. 127.

The most important articles of the treaty between England and France, were,

T 4

VII.

k Kennet infers from a letter of the earl of Arlington, that the Dutch were set on by the French to burn our fleet, Hist. tom. III. p. 127.

1667.

Articles of  
the peace  
with France,  
Collect. of  
Treat.

to l. p. 127.

VII. The most christian king shall restore to the king of Great Britain, that part of the isle of St. Christophers, which the French have taken from the English, since the declaration of war.

X. The king of Great Britain shall restore to the most christian king, the country of Acadia, in North America, sometime in possession of the said most christian king.

XI. The most christian king shall restore to the king of Great Britain, the isles of Antegoa, and Montserrat, if they are still in his possession, and in general, all the territories, isles, towns, and fortresses, which may have been conquered by his arms, and which belonged to the king of England before the beginning of the war with the states general, and reciprocally the king of Great Britain shall restore the territories, isles, towns, &c.

XVII. This article contained a regulation of all the captures, which might be made since the conclusion of the peace.

XVIII. In case of a war it is stipulated, that six months notice shall be given to the merchants to withdraw their effects,

#### Principal Articles of the treaty between Great Britain and the states general.

Article III. Both sides shall forget and forgive all offences, damages, and losses, which either have suffered during this war, or at any time before, or under any pretence, as if they had never happened.—Each party shall hold for time to come in full right of sovereignty, propriety and possession, all such countries, isles, towns, forts, places and colonies, as, whether during this war, or before, have been taken and kept from the other by force of arms, and in what other manner soever, and that as they possessed and enjoyed them the 10th day of May last.

IV. All ships, goods and moveables, which at any time have come into the power of either party, shall remain in the present possessors thereof, without any compensation or restitution for the same.

V. All actions, demands, and pretensions whatsoever for the same shall remain void, obliterated, and disannulled, &c.

XV. The said lord the king, and the said lords the states, shall not receive into their dominions any such persons as shall be declared fugitive rebels, of the one or the other.

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**XIX.** All ships and vessels of the United Provinces, as well men of war as merchant ships, and others, which shall meet in the Britannick seas any ships of war belonging to the king of Great Britain, shall strike the flag, and lower the sail as it has formerly been practised.

**XXXII.** If the former differences shall be renewed, and turned into an open war, the ships, merchandize, and all moveable effects of both parties, which shall be found in the sea-ports and dominions of the adverse party, shall be by no means confiscated or damaged; but there shall be granted to the subjects of both parties the term of six whole months, during which time they may transport the said effects where they please.

**XXXVI.** For the greater assurance that the present treaty shall be observed with good faith on the part of the states general, they engage themselves by these presents, that those persons who shall be chosen by the said states general, or the particular provinces, into the offices of captain general, stadtholder, field marshal, admiral, shall swear that they will observe, and cause to be observed religiously this treaty.

By a separate article it was agreed, that if any of the murderers of Charles I. should be found in the dominions of the states general, they should be delivered to the king, &c.

If it is now considered, what advantages England received from a war undertaken upon so slight grounds, and with such animosity, it will not be easy to discover a single advantage that was not really contained in the treaty of the 4th of September 1662. But on the contrary, it will be found, that this war cost five millions five hundred and fifty thousand pounds sterling, besides the loss of the ships of war, whether in sea engagements, or in the affair of Chatham<sup>1</sup>. And yet the king had assured the parliament, in one of his speeches, that he would never lay down his arms, till he had procured his subjects a reasonable satisfaction for their losses, which upon his computation amounted to seven or eight hundred thousand pounds, And if these losses

Reflections upon this Peace.

<sup>1</sup> The Dutch were also, on their part, put to very great charges. For sir William Temple affirms, that in the year 1665, there were raised in the provinces forty millions of guilders, of which twenty two in the province of Holland. And upon the bishop of

Munster's invading them at the same time by land, they had, in the year 1666, above threethree thousand land men in pay; and a fleet of above an hundred men of war at sea. Observe upon the United provinces, p. 71.

1667. losses are supposed real, this peace was so much the more dishonourable to the king and the English nation. But, on the other hand, it is easy to perceive, that the king and duke of York reaped by it considerable advantages: the king, by the large supplies of money which were granted him, but not expended in the war, at least, the eighteen hundred thousand pounds given in January and February this year, and by the sale of above two hundred ships taken from the Dutch; the duke of York, by his claims upon these captures as lord high admiral, and by the present of one hundred and twenty thousand pounds made him by the parliament. Such was the conclusion of this great armament, which was to humble the pride of the Dutch, and render them for ever incapable to support their trade and dispute the empire of the seas with England. The peace was proclaimed at London, and at the Hague, the 24th of August.

Richard.

The king of France invades the Netherlands. Kennet, p. 292. Baskins. R. Coke.

The king of France, as hath been seen, gave no very real assistance to his allies, since his fleet never joined that of the states, not even this last year, when the English were in no condition to oppose the junction. He had then other designs, which he discovered in June, by an invasion of the Netherlands, on account of his queen's pretensions to Brabant, after the death of Philip IV. her father. In the whole course of the war between the king of England and the states general, he clearly showed his intention to make Charles his friend, in which he afterwards succeeded but too well. He would never have declared against him, notwithstanding his strict engagement with the states in the treaty of 1662, had he not believed such a declaration absolutely necessary to support mr. De Wit, who otherwise was in great danger of ruin. He earnestly wished to see the end of this war, in which he had very unwillingly engaged. This appeared chiefly in the conferences at Breda, where his two plenipotentiaries performed properly the office of Mediators, though those of Sweden had the name. Accordingly he was greatly suspected in Holland of a secret correspondence with England.

Complaints against the court. Burnet. Richard. R. Coke.

Complaints and murmurs against king Charles and his ministers succeeded the animosity with which the Dutch war was begun. When the advantages obtained by the peace were compared with the expence of the war, they were found so disproportionable, that men could not forbear suspecting, it had been raised by motives repugnant to the interest of England. The people had been told, it was under-

1667.

undertaken to procure the merchants satisfaction for the damages received from the Dutch: to revenge the indignities the nation had suffered: and to incapacitate the United Provinces ever to rival England again, but nothing of all this had been done. The merchants had received no satisfaction even for the two ships, the Good Hope and the Bon Adventure, though that article was the most specified. Instead of revenging the affronts offered the nation, England had received a real and most mortifying indignity in the business of Chatham. Lastly, after the peace of Breda, the United Provinces were in a more flourishing condition than before the war, and looked on this peace as a triumph for them. On the other hand, few people could digest the king's pressing the parliament for money to carry on the war, and that after receiving eighteen hundred thousand pounds sterling he should be so intent upon peace, as not to put himself in a condition to obtain reasonable terms. This was a subject very apt to raise a suspicion of the sincerity of his intentions for the good of his people. In short, it was more and more discovered that the papists had great influence at court, and that the proclamations published against them at the desire of the parliament, were far from being rigorously executed. The earl of Arlington, almost open protector of the papists, was made secretary of state, and in great favour, while the credit of the earl of Clarendon their enemy daily declined. This began to produce suspicions disadvantageous to the king. Besides, his dissolute life did not help to preserve the high opinion conceived of him in the beginning of his reign. His court was a scene of debauchery, where his mistresses ruled absolutely, and nothing was done but through their means. They consumed his vast revenues, with almost all the money granted by parliament, so that in the midst of riches, he was always in want, and forced to seek new pretences to draw money from his parliament, to supply his private occasions.

Suspicion  
against the  
king.

The dis-  
orders of  
his court.  
Burnet.

These suspicions and complaints reaching the king, he resolved to appease them by sacrificing the earl of Clarendon, who had hitherto acted as prime minister. He knew, the people are always excessively pleased with sacrifices of ministers, who have enjoyed the greatest credit, and on whom generally all the miscarriages are thrown. But this was only a pretence used by the king to be delivered of a minister, whom he no longer loved, and whose presence and counsels were become insupportable to him. The

The chan-  
cellor's dis-  
grace.

III. p. 190,  
Echard,

191.  
Kennet.  
Burnet.

chancel-

1667. chancellor's regular life, his aversion to debauchery and libertinism, his grave and severe manners, his neglect of the king's favourites and mistresses, and lastly, his principles and maxims concerning religion and the state, ill agreed with the disorderly life of the court, and still less with the projects formed in favour of the papists, under colour of easing the presbyterians. For this reason, and for his rough and always too haughty behaviour, he had rendered himself odious to all the courtiers, who never ceased to do him ill offices, especially when they saw him in the decline of his favour. He had often taken the liberty to reprove the king for his disorderly life, and at first his reproofs were well received. But when the king had once abandoned himself to his pleasures, he could no longer bear the presence of a man, whose advice he had formerly received with a sort of submission. The duke of Buckingham and some others perceiving this disposition of the king, neglected nothing to cherish it. As often as they saw the chancellor coming, they would say to his majesty, "Here comes your schoolmaster!" At other times they mimicked him before the king, in order to make him ridiculous. The duke of Buckingham used to walk in a stately manner, with a pair of bellows before him for the purse, whilst colonel Titus carried a fire shovel on his shoulder for the mace. The king suffered these buffooneries, and thereby discovered his disgust to his minister. But as these are only trifles, and as the king's disgust turned at last into real hatred, it is proper to relate the more serious causes which have been offered in vindication of the king's resentment.

Causes of  
his fall.  
Echard,  
III. p. 191.  
Burnet,  
p. 248, &c.

1. It is pretended, the king designing to be divorced from his queen on several weak pretences, could never obtain the chancellor's approbation.

2. The king intended, after his divorce, to marry mrs. Stuart his relation, of whom he was amorous. The earl of Clarendon, to prevent this, persuaded the young duke of Richmond to marry her, by representing, how serviceable it would be to gain him the king's favour. The duke, following this advice, made his addresses to the lady, who, knowing nothing of the king's design, believed she ought not to refuse so good an offer, and the marriage was immediately concluded. The king thus disappointed, banished the duke with his new duchess from court, and never forgave the chancellor.

Welwood,  
p. 109.

3. Another, and, as was generally thought, the most apparent cause of the king's resentment against the chancellor, was his opposing Popham's project of settling an annual re-

venue

venue of two millions of pounds sterling upon the king, which was seconded by the earl of Southampton. 1667.

4. The most probable cause of the chancellor's ruin was, that the papists, whose counsels and projects were listened to, and approved by the king, omitted nothing to destroy him, knowing, that under his ministry they could never hope to accomplish their designs.

5. A stately house built by him near St. James's park <sup>m</sup>, Burnet, and in the very year of the plague, did him great injury in the minds of the people. It is pretended, it cost him fifty thousand pounds sterling, though at first he designed to lay out but fifteen or sixteen thousand. People gave it the name of Dunkirk house, because it was supposed that his advice for the sale of that place had furnished him with the means to build it. He committed another error, in purchasing for this house the stones designed for repairing St. Paul's. <sup>p. 249. Kennet's register, p. 804.</sup>

However this be, the king, under colour of giving some satisfaction to his people in sacrificing this minister, deprived him of his office of high chancellor, and made sir Orlando Bridgeman lord keeper of the great seal. <sup>Has the great seal taken from him.</sup>

The earl of Southampton lord treasurer, dying three months before the chancellor's disgrace, the king was at once deprived of two great and faithful Ministers, whose loss was never repaired, at least, with regard to their morals, their religion, and affection for their country. A little before Southampton's death, some person in council speaking against the chancellor, he with some emotion said—"The earl of Clarendon is a true protestant, and an honest Englishman, and while he is in place we are secure of our laws, liberties, and religion: but whenever he shall be removed, England will feel the ill effects of it." In this he proved a true prophet. <sup>Echard, III. p. 190. The earl of Southampton's death. Id. p. 192. Burnet.</sup>

After the earl of Southampton's death, the king put the treasury into commission. Among the commissioners was sir Thomas Clifford a known papist <sup>n</sup>, on whom afterwards fell the king's choice for lord treasurer.

The

<sup>m</sup> It stood at the upper end of St. James's street, where Albemarle street, and the streets adjoining now are. It was built in his absence, in 1665, chiefly at the charge of the vintners company, who designing to monopolize his favour, made it more large and magnificent than ever he intended. So that when he came to see it, he said with a sigh, "This

house will one day be my ruin." Echard, tom. III. p. 192.

<sup>n</sup> The rest of the commissioners were, the duke of Albemarle, the lord Ashley Cooper, sir William Coventry, and sir John Duncomb. Sir Thomas Clifford was then comptroller of the household. Ibid.

1667.

The lord  
keeper's  
speech to  
both houses.  
Echard.  
Kennet.

The parliament meeting the 10th of October, the king spoke but little, and left it to the lord keeper, to acquaint both houses with his intentions. His speech ran chiefly upon a sort of excuse for the king's having, contrary to custom, after a prorogation to October, ordered the parliament by proclamation to meet the 25th of July, and then, by another proclamation deferred the new session to the time first appointed. He communicated to them the conclusion of the peace, and desired them to settle the balance of trade with Scotland. He said, the king having named commissioners to state the publick accounts, and examine to what uses the money granted by parliament had been applied, and this commission not having succeeded as he expected, he left them to follow their own method, and examine them as strictly as they pleased. He added, that some malicious persons had dispersed false reports against the government, with design to create a disaffection in his subjects: but that his majesty promised himself from their affection, they would, on the contrary, endeavour to preserve a good understanding between him and his people. That if any just grievances have happened, his majesty was ready to redress them, and did not doubt they would imprint upon the hearts of his subjects that known truth——“ That there is no distinct interest “ between the king and his people, but the good of one is “ the good of both.”

The address  
of both  
houses to the  
king.  
Octob. 15.  
Kennet.  
Echard.

Some days after, the two houses presented an address to the king to thank him for several things: 1. That he had disbanded the late raised forces: 2. That he had dismissed the papists from out of his guards, and other military employments: 3. That he had revoked the canary patent: 4. And more especially, That he had displaced the late lord chancellor, and removed him from the exercise of publick trust and employment in affairs of state. The king answered to this last article, “ That he would never employ the earl of “ Clarendon again in any publick affairs whatsoever.”

The king sufficiently discovering his intention not to protect the earl of Clarendon, the house was thereby encouraged to seek reasons or pretences to impeach him of treason. But it is too little to say, the king would not protect him. It is certain, he himself was his adversary, and actuated the commons against him. This he clearly showed, by reprimanding Sir Stephen Fox who was of his household, and member of the house of commons, for having voted in favour of the earl of Clarendon. To which Sir Stephen replied, “ That “ he knew the earl to be an honest man, and was sure “ could

Echard,  
III. p. 298.

" could never be guilty of the crimes laid to his charge." 1667.  
 At last, the commons proceeded with great passion, ordered an accusation to be drawn and presented to the house, the substance whereof is as follows :

" I. That the earl of Clarendon hath designed a standing army to be raised, and to govern the kingdom thereby ; and advised the king to dissolve this present parliament, and to lay aside all thoughts of parliaments for the future ; to govern by a military power, and to maintain the same by free quarter and contribution. <sup>Articles against the earl of Clarendon. Nov. 6. State-trials, II. p. 556,</sup>

" II. That he hath, in the hearing of the king's subjects, falsely and seditiously said, That the king was in his heart a papist, or popishly affected, or words to that effect. <sup>557. Echard. Kennet.</sup>

" III. That he hath received great sums of money for the procuring of the canary patent, and other illegal patents ; and granted illegal injunctions to stop proceedings at law against them, and other illegal patents formerly granted.

" IV. That he hath advised and procured divers of his majesty's subjects to be imprisoned against law, in remote islands, garrisons, and other places, thereby to prevent them from the benefit of the law, and to produce precedents for the imprisoning any other of his majesty's subjects in like manner.

" V. That he procured his majesty's customs to be farmed at under rates knowing the same ; and great pretended debts to be paid by his majesty, to the payment of which his majesty was not strictly bound, and afterwards received great sums of money for procuring the same.

" VI. That he received great sums of money from the company of vintners, or some of them or their agents, for enhancing the prices of wines, and for freeing them from the payment of legal penalties, which they had incurred.

" VII. That he had in a short time gained to himself a greater estate than can be imagined to be gained lawfully in so short a space : and, contrary to his oath, he hath procured several grants under the seal, from his majesty to himself and relations, of several of his majesty's lands, hereditaments and leases, to the disprofit of his majesty.

" VIII. That he hath introduced an arbitrary government in his majesty's foreign plantations, and hath caused  
 " such

1667. " such as complained thereof before his majesty and council, to be long imprisoned for so doing.

" IX. That he did reject and frustrate a proposal and undertaking approved by his majesty, for the preservation of Nevis and St. Christopher's, and reducing the French plantations to his majesty's obedience, after the commissions were drawn for that purpose; which was the occasion of our great losses and damages in those parts.

" X. That he held correspondence with Cromwell and his accomplices, when he was in parts beyond the seas, attending his majesty, and thereby adhered to the king's enemies.

" XI. That he advised and effected the sale of Dunkirk to the French king, being part of his majesty's dominions; together with the ammunition, artillery, and all sorts of stores there, and for no greater value than the said ammunition, artillery, and the stores were worth.

" XII. That the said earl did unduly cause his majesty's letters patents, under the great seal of England to one dr. Crowther, to be altered, and the enrollment thereof to be unduly razed.

" XIII. That he hath in an arbitrary way examined and brought into question divers of his majesty's subjects concerning their lands, tenements, goods, chattels and properties, determined thereof at the council table, and stopped proceedings at law by order of the council table, and threatened some that pleaded the statute of the 17th of Char. I.

" XIV. That he hath caused Quo Warrantos to be issued out against most of the corporations of England, immediately after their charters were confirmed by act of parliament, to the intent he might require great sums of money of them for renewing their charters; which, when they complied withal, he caused the said Quo Warrantos to be discharged, and prosecutions therein to cease.

" XV. That he procured the bills of settlement for Ireland, and received great sums of money for the same, in a most corrupt and unlawful manner.

" XVI. That he hath deluded and betrayed his majesty, and the nation, in all foreign treaties, and negotiations relating to the late war, and betrayed and discovered his majesty's secret counsels to his enemies.

" XVII.

“XVII. That he was the principal author of that fatal council of dividing the fleet about June 1666.” 1667.

Upon the foundation of these articles, the commons, on the 12th of November, impeached the earl of high treason at the bar of the lords house, and desired that he might be sent to the Tower. But the lords did not think proper to commit him upon an accusation of treason in general, without any particular charge.

This raised a warm dispute between the two houses, which several conferences could not allay. At last, the commons came to this resolution. “That the lords not having complied with the desire of the commons, in committing the earl of Clarendon, and sequestering him from parliament upon the impeachment from that house, was an obstruction of the publick justice of the kingdom, and a precedent of evil and dangerous consequence.” At the same time, they appointed a committee to draw up a declaration to vindicate their proceedings. Echard, III. p. 198.

But the earl of Clarendon seeing himself exposed to the commons rage, and knowing, the king and the whole court were against him, thought it adviseable to withdraw into France, and leave the following apology behind him, addressed to the lords.

“I am very unfortunate to find myself to suffer so much, under two very disadvantageous reflections, which are in no degree applicable to me.” State trials, II. p. 574. Kennet, p. 290.

“The first, from the greatness of my estate and fortune, collected and made in so few years, which, if it be proportionable to what is reported, may very reasonably cause my integrity to be suspected.”

“The second, that I have been the sole manager and chief minister in all the transactions of state, since the king’s

o The impeachment was carried up by Edward Seymour, esq; who was also the first man that charged him in the house of commons, with many great and heinous crimes. The rest of the chief speakers against him, were, sir Thomas Littleton, serjeant Maynard, sir John Holland, sir Thomas Osborn, sir Robert Howard, mr. Garraway, lord St. John, sir Charles Wheeler, mr. Hampden, Marvel, Prynne, secretary Morrice, Waller, and sir John Vaughan, &c. Those that spoke in his favour, were, sir Heneage Finch, sir Francis Goodrick, mr. Coventry, sir

Edward Thurland, sir John Brampton, sir John Talbot, sir John Shaw, sir Thomas Clifford, sir Stephen Fox, and the earl’s son, Laurence Hyde. Echard, tom. 3. p. 195. The baron d’Ifola, the Spanish ambassador at the court of England, was the author of the earl’s disgrace. See Basinge, ann. tom. 1, p. 310.

p As Rapin, by abridging this apology, has rendered it very obscure, the translator has thought fit to insert it, as it is to be found in the proceedings against him. See state trials, tom. 3. p. 574.

1667. " king's return into England, to August last, and therefore,  
 " that all miscarriages and misfortunes ought to be imputed  
 " to me and my counsels.

" Concerning my estate, your lordships will not believe  
 " that after malice and envy hath been so inquisitive and so  
 " sharp-sighted, I will offer any thing to your lordships, but  
 " what is exactly true; and I do assure your lordships in  
 " the first place, that (excepting from the king's bounty)  
 " I have never received nor taken one penny but what was  
 " generally understood to be the just lawful perquisites of my  
 " office, by the constant practice of the best times, which I  
 " did in my own judgment conceive to be that of my lord  
 " Coventry, and of my lord Ellesmere; the practice of which  
 " I constantly observed, altho' the office in both their times  
 " was lawfully worth double to what it was to me, and I  
 " believe now is.

" That all the courtesies and favours which I have been  
 " able to obtain from the king for other persons in church  
 " or state, or in Westminster-hall, have never been worth  
 " to me five pounds: so that your lordships may be confi-  
 " dent I am as innocent from corruption as from any disloyal  
 " thought, which after near thirty years service of the crown,  
 " in some difficulties and distresses, I did never expect would  
 " be objected to me in my age.

" And I do assure your lordships, and shall make it very  
 " manifest, that the several sums of money, and some par-  
 " cels of land, which his majesty hath bountifully bestowed  
 " upon me since his return into England, are worth more  
 " than all I have amounts unto; so far I am from advancing  
 " my estate by indirect means. And though this bounty of  
 " his hath very far exceeded my merit, or my expectation,  
 " yet some others have been as fortunate at least in the same  
 " bounty, who had as small pretences to it, and have no  
 " great reason to envy my condition.

" Concerning the other imputation of the credit and  
 " power of being chiefest minister, and of causing all to  
 " be done that I had a mind to; I have no more to say,  
 " than that I had the good fortune to serve a master of a  
 " very great judgment and understanding, and be always  
 " joined with persons of great ability and experience, with-  
 " out whose advice and concurrence, never any thing hath  
 " been done.

" Before his majesty's coming into England he was con-  
 " stantly attended by the then marquis of Ormond, the late  
 " lord Culpepper, and my secretary Nicholas, who were  
 " equally

"equally trusted with myself, and without whose joint ad- 1667.  
 "vice and concurrence, when they were all present (as some  
 "of them always were) I never gave any counsel. As soon  
 "as it pleased God to bring his majesty into England, he  
 "established his privy council, and shortly out of them he  
 "chose a number of honourable persons of great reputation;  
 "(who for the most part are still alive) as a committee for  
 "foreign affairs, and consideration of such things as in the  
 "nature of them required much secrecy; and with these  
 "persons he vouchsafed to join me: and I am confident  
 "this committee never transacted any thing of moment (his  
 "majesty being always present) without presenting the same  
 "first to the council board; and I must appeal to them con-  
 "cerning my carriage, and whether we were not all of one  
 "mind, in matters of importance.

"For more than two years I never knew any differences  
 "in the council, or that there were any complaints in the  
 "kingdom, which I wholly impute to his majesty's great  
 "wisdom, and the entire concurrence of his counsellors;  
 "without the vanity of assuming any thing to myself; and  
 "therefore I hope I shall not be singly charged with any  
 "thing that hath since fallen out amiss. But from the time  
 "Mr. secretary Nicholas was removed from his place, there  
 "were great alterations; and whosoever knew any thing of  
 "the court and council, know well how much my credit  
 "hath since that time been diminished, though his majesty  
 "graciously vouchsafed still to hear my advice in most of  
 "his affairs: nor hath there been, from that time to this,  
 "above one or two persons brought to the council, or pre-  
 "ferred to any considerable office in the court, who have  
 "been of my intimate acquaintance; or suspected to have  
 "any kindness for me; and most of them most notoriously  
 "known to have been very long my enemies, and of differ-  
 "ent judgment and principles from me in church and state,  
 "and have taken all opportunities to lessen my credit with  
 "the king, and with all other persons, by misrepresenting  
 "and misreporting all that I said or did, and persuading  
 "men I have done them some prejudice with his majesty,  
 "or crossed them in some of their pretensions. Though his  
 "majesty's goodness and justice was such that it made little  
 "impression upon him.

"In my humble opinion, the great misfortunes of the  
 "kingdom have proceeded from the war, to which it is  
 "notoriously known that I was always most averse, and  
 "may without vanity say, I did not only foresee, but de-

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“ clare the mischiefs we should run into, by entering into a  
 “ war, before any alliances made with the neighbouring  
 “ princes. And that it may not be imputed to his ma-  
 “ jesty’s want of care, or the negligence of his counsellors,  
 “ that no such alliances were entered into, I must take the  
 “ boldness to say, his majesty left nothing unattempted in  
 “ order thereunto; and, knowing very well, that France  
 “ resolved to begin a war upon Spain, as soon as his ca-  
 “ tholick majesty should depart this world, which being  
 “ much sooner expected by them, they had in the two  
 “ winters before been at great charges in providing plen-  
 “ tiful magazines of all provisions upon the frontiers, that  
 “ they might be ready for the war, his majesty used all  
 “ possible means to prepare and dispose the Spaniard  
 “ with that apprehension, offering his friendship to that  
 “ degree, as might be for the benefit and security of both  
 “ crowns.

“ But Spain flattering itself, that France would not break  
 “ with them, at least, that they would not give them any  
 “ cause by administering matter of jealousy to them, never  
 “ made any real approach towards a friendship with his  
 “ majesty, but, both by their ambassadors here, and to his  
 “ majesty’s ambassador at Madrid, always persisted, as pre-  
 “ liminaries, upon the giving up of Dunkirk, Tangier,  
 “ and Jamaica.

“ Though France had an ambassador here, to whom a  
 “ project of a treaty was offered, and the lord Holles, his  
 “ majesty’s ambassador at Paris, used all endeavours to pur-  
 “ sue and prosecute the said treaty, yet it was quickly dis-  
 “ cerned, that the principal design of France, was to draw  
 “ his majesty into such a nearer alliance as might advance  
 “ their design; without which, they had no mind to enter  
 “ into the treaty proposed.

“ And this was the state of affairs when the war was  
 “ entered into with the Dutch, from which time neither  
 “ crown much considered the making any alliance with  
 “ England.

“ As I did from my soul abhor the entering into this  
 “ war, so I presumed never to give any advice or counsel  
 “ for the way of managing it, but by opposing many pro-  
 “ positions, which seemed to the late lord treasurer and  
 “ myself to be unreasonable, as the payment of the sea-  
 “ men by tickets, and many other particulars which added  
 “ to the expence,

“ My

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“ My enemies took all occasions to inveigh against me,  
 “ and making their friendship with others out of the coun-  
 “ cil, of more licentious principles, and who knew well  
 “ enough how much I disliked and complained of the li-  
 “ berty they took to themselves of reviling all councils and  
 “ counsellors, and turning all things serious and sacred into  
 “ ridicule. They took all ways imaginable to render me  
 “ ungrateful to all sorts of men, (whom I shall be com-  
 “ pelled to name in my defence) persuading those that mis-  
 “ carried in any of their designs, that it was the chan-  
 “ cellor’s doing; whereof I never knew any thing. How-  
 “ ever, they could not withdraw the king’s favour from me,  
 “ who was still pleased to use my service with others, nor  
 “ was there ever any thing done but with the joint advice  
 “ of at least the major part of those who were consulted  
 “ with. And as his majesty commanded my service in the  
 “ late treaties, so I never gave the least advice in private,  
 “ nor wrote one letter to any one person in either of those  
 “ negotiations, but upon the advice of the council, and  
 “ also after it was read in council, or at least, by the king  
 “ himself, and some others; and if I prepared any instruc-  
 “ tions or memorials, it was by the king’s command,  
 “ and the request of the secretaries who desired my assis-  
 “ tance; nor was it any wish of my own, that any am-  
 “ bassador should give me any account of the transactions,  
 “ but to the secretaries, whom I was always ready to  
 “ advise; nor am I conscious to myself of ever having  
 “ given advice that hath proved mischievous or incon-  
 “ venient to his majesty; and I have been so far from  
 “ being the sole manager of affairs, that I have not, in  
 “ the whole last year, been above twice with his majesty  
 “ in any room alone, and very seldom in the two or three  
 “ years preceding.

“ And since the parliament at Oxford, it hath been very  
 “ visible, that my credit hath been very little, and that  
 “ very few things have been hearkened to, which have  
 “ been proposed by me, but contradicted, eo nomine, be-  
 “ cause proposed by me.

“ I most humbly beseech your lordships to remember the  
 “ office and trust I had for seven years, in which, in  
 “ discharge of my duty, I was obliged to stop and obstruct  
 “ many mens pretences, and refused to set the seal to many  
 “ pardons and other grants, which would have been pro-  
 “ fitable to those who procured them, and many whereof,  
 “ upon my representation to his majesty, were for ever

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“ stopt, which naturally have raised many enemies to me;  
 “ and my frequent concurring, upon the desires of the  
 “ late lord treasurer, (with whom I had the honour to  
 “ have a long and vast friendship to his death) in re-  
 “ presenting several excesses and exorbitances, the yearly  
 “ issue so far exceeding the revenues, provoked many per-  
 “ sons concerned, of great power and credit, to do me all  
 “ the ill offices they could. And yet I may faithfully say,  
 “ that I never meddled with any part of the revenue or  
 “ the administration of it, but when I was desired by the  
 “ late lord treasurer to give him my assistance and advice,  
 “ having had the honour formerly to serve the crown as  
 “ chancellor of the exchequer, which was for the most part  
 “ in his majesty’s presence. Nor have I ever been in the  
 “ least degree concerned, in point of profit, in letting any  
 “ part of his majesty’s revenue; nor have ever treated or  
 “ debated it, but in his majesty’s presence, in which my  
 “ opinion concurred always with the major part of the  
 “ counsellors who were present.

“ All which, upon examination, will be made manifest  
 “ to your lordships, how much soever my integrity is  
 “ blasted by the malice of those who, I am confident, do  
 “ not believe themselves. Nor have I in my life, upon  
 “ all the treaties, or otherwise, received the value of one  
 “ shilling from all the kings or princes in the world, (ex-  
 “ cepting the books of the Louvre-print sent me by the  
 “ chancellor of France, by that king’s direction) but from  
 “ my own master, to whose intire service, and the good  
 “ and welfare of my country, no man’s heart was ever  
 “ more devoted.

“ This being my present condition, I do most humbly  
 “ beseech your lordships to entertain a favourable opinion  
 “ of me, and to believe me to be innocent from those  
 “ foul aspersions, until the contrary shall be proved: which  
 “ I am sure can never be by any man worthy to be be-  
 “ lieved: and since the distempers of the times, and the  
 “ difference between the two houses in the present debate,  
 “ with the power and malice of my enemies, who gave  
 “ out that I should prevail with his majesty to prorogue  
 “ or dissolve this parliament in displeasure, and threaten  
 “ to expose me to the rage and fury of the people, may  
 “ make me to be looked upon as the cause which ob-  
 “ structs the king’s service, and unity and peace of the  
 “ kingdom.

“ I

" I most humbly beseech your lordships, that I may 1667.  
 " not forfeit your lordships favour and protection, by with-  
 " drawing myself from so powerful a persecution, in hope  
 " that I may be able, by such withdrawing, hereafter to  
 " appear and make my defence, when his majesty's justice  
 " (to which I shall always submit) may not be obstructed,  
 " or controlled, by the power and malice of those who  
 " have sworn my destruction."

The lords having received this apology the 3d of De- It is com-  
 cember, desired a conference with the commons, to com- municated  
 municate it to them. The duke of Buckingham, who was to the  
 to deliver it, said, " The lords have commanded me to commons.  
 " deliver you this scandalous and seditious paper, sent from Echard,  
 " the earl of Clarendon: they bid me to present it to you, III. p. 204.  
 " and desire you in convenient time to send it to them Kennet.  
 " again, for it has a style which they are in love with, and  
 " therefore desire to keep it."

The reading of this apology threw the commons into a Is publicly  
 flame. Some of the earl's enemies took occasion to make burnat.  
 the most virulent speeches against him, and at last, the  
 house voted his apology scandalous and malicious, and a  
 reproach to the justice of the nation, and ordered it to be  
 burnt by the common hangman.

The 13th of December, the lords sent to the commons this,  
 a bill for the banishment of the earl of Clarendon, which  
 met with great opposition in that house. Some of the  
 members even proposed a bill of attainder against him. At  
 last, the house voted, " that the king should be prayed  
 " to issue out his proclamation for summoning the said earl  
 " to appear by a day, and to apprehend him in order to his  
 " trial, and that the lords be sent to for their concurrence,  
 " in this vote." But the lords refused their concurrence,  
 because the vote was contrary to their bill.

At last, on the 18th of December, the bill sent by the A bill is pas-  
 lords passed the house of commons, and the king willingly sed for the  
 gave his assent. The truth is, it was the king who had earl's ba-  
 employed the duke of York, to prevail with the earl of nishment.  
 Clarendon to withdraw, whether the earl's friends had at Burnet,  
 last softened the king, or he was not desirous of having p. 256.  
 the articles of impeachment discussed, which might have Kennet.  
 discovered things he had rather conceal. Echard.

U 4

Thus

<sup>g</sup> Particularly Sir John Vaughan, Sir Robert Howard. Echard. tom.  
 III. p. 204.

1667.  
 Reflections  
 upon his  
 disgrace.

Thus was the earl of Clarendon sacrificed to the malice of his enemies. But they were such enemies, that it may be said, their persecution did him more honour, than the crimes, which for the most part were groundless, could do him injury. These enemies were, first, the king himself, who on this occasion forgot all the services this faithful minister had done his father and himself, at a time when his affection and fidelity could not be suspected, since there was no appearance of his being ever rewarded. What is more strange, the king came to hate him, merely because he served him too well, and, in a just concern for his glory, did what lay in his power to prevent his falling into contempt, and engaging in projects which could not but render him unfortunate. His other enemies were, the king's mistresses and favourites, persons of profligate lives, of no religion, or of one contrary to that of the establishment, who hated him only because they thought him too honest, or believed him incapable of being gained to assist their designs. For it is generally allowed, that not a single article of his accusation, except that of the sale of Dunkirk, could be proved.

If the presbyterians had procured the lord Clarendon's ruin, there had been nothing strange in it, since he was their professed enemy. For it may be affirmed, that from him came all their misfortunes, since the beginning of this reign. But the presbyterians had then no credit, no access either to court or parliament. What is most surprising in the downfall of this minister, is the animosity wherewith he was pursued by the same house of commons, which he himself had, if I may so say, composed of men of the most extravagant principles, with respect to religion and government. But he found himself mistaken in his views. For, these same principles, with regard to the royal power, so firmly attached the house to the king, that they made no scruple to abandon the earl of Clarendon, though head of the party, when once the king expressed his displeasure against him. This is not the only instance of the ablest politicians labouring their own ruin, by seemingly the best contrived projects.

Remarks  
 upon his history of the  
 rebellion.

Among the great services rendered by the earl of Clarendon to Charles I. and Charles II. his excellent history of the rebellion and civil wars in England, ought to be remembered, which was not published till after his death. In this history are undeniable proofs of the author's sincere affection for Charles I. Nay, very likely, it was writ with  
 the

the sole design to justify the conduct of that unfortunate prince, and place it in the best light it is capable of. If any thing can injure this history, it is, that the views of the author are too undisguised. This gives impartial readers occasion to think, it was not writ so much for the instruction of the publick in the truth of facts, as to prepossess them, by various artifices, and numberless insinuations, in favour of a system, which all readers, versed in the history and government of England, will, doubtless, not admit. Another charge against this author, is, the contempt and animosity which he every where shows against the presbyterians and the Scots, even in places where it seems foreign to his purpose. But this came from his heart. His immoderate passion against presbyterianism, was this great man's foible. He gloried in his hatred of the presbyterians, and perhaps contributed more than any other, to that excess of animosity which still subsists among the followers of his maxims and principles.

From a private gentleman, and a lawyer, the earl of <sup>His great</sup> Clarendon rose to the highest degree of fortune, that a man <sup>fortune.</sup> of his rank could aspire to. For, by his merit and his inviolable attachment to Charles I. and Charles II. he was raised to the dignity of earl, of lord high chancellor, and of prime minister of state. But what gives a farther lustre to his glory, is, that from the marriage of his daughter with the duke of York, sprung two princesses successively queens of England. He spent the rest of his days in banishment, among protestant presbyterians, and papists, whose declared enemy he had been, during the time of his favour, but who failed not to pay him all the respect due to his merit, and the dignities with which he had been honoured in his own country. He died at Roan the latter end of December 1674, aged sixty seven.

The day after the act for the earl of Clarendon's banishment passed in the house of commons, the king gave his assent to it by commission. Then, he sent a message to the commons, by secretary Morrice, to wish them to adjourn to the 6th of February. In the reign of James I. <sup>The parliament adjourned.</sup> there was a difference between the king and commons, <sup>A remark upon it.</sup> concerning the right of adjournment. The commons <sup>Kennet.</sup> pretended, that though the king had power to dissolve or pro- <sup>Echard.</sup> rogue a parliament, he could not adjourn it, and that adjournment entirely belonged to each house. But the lords refusing their concurrence, the commons were obliged to drop their pretension. From that time James I. and Charles I. always

1667.

always supposed this right as undeniable, and yet the point had never been decided in form. It seems therefore, that Charles II. by desiring the parliament to adjourn, was willing to show some regard to the pretensions of the commons, or at least to avoid all occasion of dispute with them. But this condescension lasted not long; for it will hereafter appear, that he frequently adjourned the parliament by his own authority, without any dislike expressed by the commons. Now the difference between an adjournment and a prorogation consists in this, that a prorogation ends the session, and annuls all affairs which have been proposed or debated in parliament without being finished, so that they cannot serve for ground to the resolutions of a new session, unless they are proposed afresh. But an adjournment only suspends them till the parliament re-assembles. For this reason, when the commons have voted the king a supply, the parliament is seldom or never prorogued, but only adjourned when some short recess is necessary, that at their meeting again, they may proceed upon the vote till it be passed into an act.

A proclamation  
against  
papists.  
Echard,  
III. p. 206.

Before the parliament met in October, the king published a proclamation, for the rigorous execution of the laws against those who repaired to hear mass at the chapels of ambassadors. He still persisted in his dissimulation with regard to religion, and in his design to persuade his subjects, that he was a good protestant. It was properly for this that these proclamations were intended. But the nonperformance of them had a quite contrary effect. For it could not be thought necessary so frequently to repeat them, if the king had been pleased with seeing them executed according to law.

The Royal  
Exchange  
built.  
Octob. 23.  
Ibid.  
Strype.

The same month of October, the king rode in great state into the city, and laid the first stone of the foundation of the Royal Exchange. This building was finished in a very short time.

Death of  
bishop  
Wren.  
Echard.

This year, death, as I have said, took out of the world Thomas Wriothesley earl of Southampton, lord treasurer. The other less remarkable deaths were those of Dr. Matthew Wren bishop of Ely, (great enemy of the presbyterians, who, out of revenge for his severity to them before the civil wars, kept him prisoner in the Tower from the year 1642 till the restoration, when he was restored to his bishoprick of Ely, where he died aged eighty one years) and of the famous poet Abraham Cowley, little known to

And Mr.  
Cowley.

strangers,

strangers, but very much, and deservedly, esteemed by the English.

1667.

After the removal of the earl of Clarendon, the king and his ministers, of whom the earl of Arlington, and sir Orlando Bridgeman were the principal, believed it absolutely necessary to give the people some satisfaction, by demonstrating the court's attention to the welfare of the nation. The king of France, by his invasion of Flanders, had so clearly shown, he did not intend to stand to his queen's renunciation of all the members of the Spanish monarchy, that he could not possibly be mistaken. Besides his power was daily increasing, whereas that of Spain was visibly declining. It was therefore the interest of Europe in general, and of England in particular, to take early and effectual measures, to set bounds to this formidable power, which might produce great changes, if care was not taken to stop its progress. Nothing was more popular than such a design, and nothing more capable to re-ingratiate the king with his subjects. So, the 1st of January 1667-8, a resolution was taken, to enter into a strict union with the states general of the United Provinces, to prevent the king of France's entire reduction of Flanders, and the rest of the Spanish Netherlands. The court likewise resolved, to endeavour to engage the king of Sweden into the same measures, and so form a triple alliance capable to intimidate Lewis XIV. and oblige him to proceed with more caution.

1667-8.

The king resolves to give some satisfaction to the people.

To execute this project, sir William Temple was ordered to the Hague, with the character of envoy extraordinary and plenipotentiary. I shall not descend to the particulars of the negotiation, which are related in the writings of sir William Temple, published in a French version. I shall only observe, that by the address of the envoy, the treaty of alliance between the king and the states was concluded in five days, and what is more, signed by the states general, without communicating it to the particular provinces, which had never been practised before. Moreover, the count de Dhona, ambassador of Sweden, engaged for his master, that he should enter into the treaty, if a place was left for him as a principal. Afterwards, that court signed a like treaty in the name of the king of Sweden with the king of England and the states general, it being agreed, that this treaty should be considered as part of the former when ratified. These treaties were first sent into England, and ratified by the king, and shortly after, the

A triple alliance concluded between England, Holland, and Sweden. Temple's lett. fol. p. 45. &c.

1667-8. the king of Sweden's ratification was likewise received. Thus was concluded, in a very little time, a triple league, the most important that had been long since made in Europe, and which was to check the power, as well as vast designs of France.

Explications  
of this  
treaty.  
Echard,  
p. 123.

For the understanding this treaty, of which I shall presently give the substance, it must be observed, that Lewis XIV. after his last campaign, during which he had seized many strong places of the Spanish Netherlands<sup>r</sup>, had, at the pressing instances of the states general, consented to a treaty with Spain, till the end of March 1668. Moreover, he had left to the queen regent of Spain, the choice of either yielding to him the places conquered by him in the last campaign, or else the duchy of Luxemburgh, or, instead of it, Franche Comté, Cambray and Cambresis, Douay, Aire, St. Omer, Bergue, Furnes, and Linck, for which he promised to surrender all the rest of his conquests. These offers, as it appears, were founded upon the supposition, that the French queen's renunciation, in the treaty of her marriage, was of no force. Though the thing had been decided only by the king of France himself, the states general, seeing no possibility of obliging him to desist from his pretensions, had approved of this alternative, and positively engaged to join their forces with those of France, to compel Spain to embrace one or other of these offers. They could not therefore recede, after such an engagement. For which reason, they resolved to make with England three different treaties, which, however, were to take place, as containing but one and the same treaty.

Three treaties upon different cases.

1<sup>st</sup> treaty.  
Temple's  
letters,  
p. 69, &c.  
Collect. of  
Treat. t. I.  
p. 136.  
2<sup>d</sup> treaty.

The first treaty contained a defensive alliance between England and the states general, against all who should attack either of the parties, with a specification of the succours to be mutually given, in case of such an attack. This alliance to be perpetual.

By the second treaty, the king and the states were obliged to use their joint endeavours to dispose the king of France to make peace in the Netherlands, upon one of the proposed conditions, and likewise the king of Spain to make choice of one of the two before the end of May. But, in case of any difficulty from the Spaniard, they engaged to use their endeavours to induce the king of France to stop all farther progress of his arms in Flanders, and leave it wholly

to

<sup>r</sup> Charleroy, Oudenard, Tournay, Douay, Courtrich, Lille, &c. Kennet, p. 293.

to the allies, to procure the ends proposed in this league. 1667-8.

The third treaty contained, 1, That if in procuring peace between France and Spain, any difficulties should arise concerning the renunciation, care should be taken so to settle the articles of peace, as to create no prejudice to the rights of either. But if one side only should reject this expedient, then the allies should proceed against the refuser, in the manner agreed in the second treaty. 2. That the allies should use their endeavours to establish peace between Spain and Portugal. And though they did not pretend to hinder the king of France from assisting Portugal, they would however prevent, as far as lay in their power, his assisting that nation by making war in the Netherlands. 3. But, in case the king of France rejecting the conditions contained in the second treaty, should make farther progress in Flanders, then the allies should join with Spain, and make war upon the king of France, till they should compel him to comply with the terms of the Pyrenean treaty. 4. That all these articles should be ratified within four weeks.

This treaty which, as I said, was signed by the king of Sweden as a principal, and was called the triple league, received the applauses of all Europe, except France. Indeed, the tendency of it was not only to save the Netherlands, pursuant to the true interests of England and the states general, but also to prevent a fatal war, which must have thrown all Europe into a flame. It is perhaps the only step taken by Charles, through the whole course of his reign, really tending to the advantage of England. It will hereafter appear, that, probably, he had no other intention than to dazzle the publick and amuse the world, by a proceeding so much to his honour. But in ill supporting what he had so happily begun, he manifestly showed, that he erred not through ignorance, or want of knowing the interests of his kingdom, and those of all Europe.

Shortly after, sir William Temple concluded a treaty of commerce with the states general, and about the same time the treaty of peace between Spain and Portugal was happily finished, under the guaranty of the king of England.

A peace between Spain and Portugal.  
Collect. of Treat. t. I. p. 146.  
The king's speech to the parliament.  
Echard.

While these affairs were transacting, the parliament met the 10th of February. The king, in his speech to both houses, informed them, that he had made a league defensive with the states of the United Provinces, and another  
for

\* This triple alliance was signed January 23. Temple's lett. p. 59.

1667-8. for an efficacious mediation of peace between France and Spain, into which the king of Sweden had, by his ambassador, offered to enter as a principal. He added, that the posture of his neighbours, and the consequence of the new alliance, obliging him to set out a fleet to sea, he should want a speedy supply; that besides, it was necessary to build some large ships, and fortify the ports. He concluded with desiring them to think seriously of some course, to beget a better union and composure in the minds of his subjects in matters of religion.

Mismanagements examined into by the commons.  
Echard, t. III. p. 221.

The commons joyfully received the news of the triple alliance; but before they proceeded to the consideration of the king's speech, they resolved to inquire into the mismanagements during the late war. They appointed for that purpose a committee, which discovered many misdemeanours in the conduct of several persons, "as in the affair of Bergen-en in Norway; in the plundering the East India ships while the Dutch passed by; in the not setting out a sufficient fleet last year; in the separation of those that were out, so that they became useless; in the want of provision and ammunition in the fleet, and in the forts; in payment of the seamen by tickets; in the want of intelligence and dividing the fleets in the second year of the war; in the business of Chatham, &c." The commons accused Brounkard, that, after the first battle, he had carried false orders from the duke of York, while that prince was reposing himself, which had prevented the entire destruction of the enemy's fleet, and expelling him the house ordered him to be impeached. As to the affair of Chatham, they accused commissioner Pett for having neglected his duty. Sir William Penn was accused of having embezzled great quantities of rich goods taken in a Dutch prize.

1668.

The king was doubly concerned to put an end to these examinations, since most of the miscarriages reflected upon him, though only some particular officers were directly accused, and besides, the commons wasted the time, which, according to him, would have been better employed in considering the supplies he had demanded. He therefore pressed the commons, by three several messages, to hasten the money bill, telling them in his last message, that he intended to prorogue the parliament the 4th of May. But, being informed the house was not pleased with his message, because

a pro-

The king presses the money bill.  
Echard.

t Whereby the king was defrauded of above a hundred and fifteen thousand pounds. Echard, tom. III. p. 223.

a prorogation would have defeated all their proceedings against delinquents, he let them know, the 24th of April, that he intended only an adjournment for three months; and withal desired, that the money bill might be ready against the 4th of May. 1668.

Besides the supply, the house of commons was employed in another affair, with which they were greatly affected. They began to discover the king's secret intentions, and believed, that under colour of easing the presbyterians, his design was to obtain a general indulgence for all the nonconformists, including the papists under that general denomination. An insinuation in his speech confirmed this suspicion. Wherefore, to stop the progress of a design so contrary to their principles, with regard both to popery and presbyterianism, they presented an address to the king, to pray him "That he would issue out his proclamation for enforcing the laws against conventicles; and that care might be taken for the preservation of the peace against all unlawful assemblies of papists and nonconformists."—The king, according to his usual custom, failed not to publish a proclamation, declaring, "That upon information, that divers persons abusing the clemency used to the dissenters (even whilst it was under consideration to find out a way for the better union of his protestant subjects) had of late openly held unlawful assemblies and conventicles, he would by no means permit such notorious contempts of himself and his laws to go unpunished, &c." He supposed, the parliament was upon this union, because he had recommended it to them. But the commons were far from thinking of this affair, unless by this union the king meant an entire conformity with the church of England, which was not his intention.

Is addressed by both houses, to put the laws in execution against papists and nonconformists. Echard.

He puts out a proclamation.

A difference between the two houses. Echard.

At the same time a great dispute arose between the two houses, occasioned by mr. Skinner a merchant of London, who believing to have just cause of complaint against the East India company, brought the matter by petition into the house of lords originally. The lords, after an examination, relieved him in five thousand pounds costs. On the other hand, the company having petitioned the commons, Skinner was taken into custody, for applying originally to the lords, in a common plea, which was not agreeable to the law. The petition presented to the commons by the East India company was voted scandalous by the lords, and several conferences between the two houses, were not capable to decide this difference. At last, the commons voted, "That

1668. "That whoever should be aiding or assisting in putting in execution the order or sentence of the house of lords, in the case of Thomas Skinner against the East India company, should be deemed a betrayer of the rights and liberties of the commons of England, and an infringer of the privileges of the house."

The king passes some bills, and then adjourns, and afterwards prorogues the parliament.

The same day this vote passed in the house of commons, being the 8th of May, the king came to the house of peers, and passing the bill for raising three hundred and ten thousand pounds by an imposition on wines and other liquors, and some other acts, he adjourned the parliament to the 11th of August. He adjourned it again a second time to the 1st of March, and at last prorogued it to the 19th of October 1669.

Lewis XIV. makes himself master of Franche Comté. Basnage Echard.

I have already mentioned the affairs between France and Spain, and the alternative offered by the French king. The marquis of Castel Rodrigo, or rather the court of Spain, not being in haste to make a choice, Lewis XIV. in February invaded Franche Comté, and in less than a fortnight subdued the whole province. This conquest however did not make him rise in his demands, but he was still willing to stand to the offer of the two conditions he had proposed. But the court of Spain delayed, as much as possible, to declare upon the offered alternative, designing to engage England and the states in a war against France. Mean while, as the treaty of the triple league was directly contrary to the design of Spain (the three allies having only engaged to take up arms in case the king of France refused to stand to his proposal) it was not possible for the court of Spain to accomplish their ends. At last, after many tergiversations,

The court of Spain accepts one of the alternatives. Temple's letters.

the marquis of Castel Rodrigo declared, he accepted the first condition, by which France was to keep what had been conquered the last campaign. This choice greatly surprised the states, who had relied on the Spaniards accepting rather the second condition, which appeared less advantageous to them. But the policy of the Spanish court was to throw England and the states into an unavoidable necessity of making war against France, if she should offer to pursue her conquests in the Netherlands.

Peace concluded at Aix la Chapelle. Temple. Collect. of Treat. t. I. p. 156. Arlington's letters.

This choice being made, the peace was no longer difficult. The town of Aix la Chapelle was agreed on for the place of treaty,

In the Beginning of May, the queen miscarried a second time. Idem. of Spain. Echard, tom. III. p. 226. P. 226.

Which then belonged to the king

treaty, and the plenipotentiaries of France and Spain, of 1668. England, Sweden, and the states, repairing thither, the treaty was concluded and signed the 2d of May, after a fortnight's negotiation. The treaty contained in substance, That the king of France should keep possession of Charleroy, Binch, Aeth, Douay, Fort-de-la Scarpe, Tournay, Oudenarde, Lille, Armentieres, Courtray, Berghes, Furnes, with all their dependencies. The king of France, on his side, restored Franche-Comté to the crown of Spain. The allied states were guarantees of this peace, and all other princes and states were allowed to be so, if they pleased".

Though the treaty of Aix la Chapelle had considerably increased the power of France, the states general of the United Provinces believed it a great advantage, to have stopped the progress of the French arms. They ascribed to themselves the whole glory, though, indeed, the triple league would never have been thought of by them, had it not been first proposed by the king of England. To immortalize their glory, they struck a medal, on one side of which was seen Holland leaning against a trophy, and on the reverse, an inscription to this effect: "That they had secured the laws; reformed religion; assisted, defended, and reconciled kings; restored freedom to the ocean; procured by their arms a glorious peace, and established the tranquillity of all Europe." On the other hand, Josuah Van-Beuninghen, who had been employed in negotiating the peace, struck a medal, and compared himself to Joshua stopping the course of the sun. As the king of France had taken the sun for his device, the meaning of the medal could not be mistaken. But the states immediately suppressed it. As for the first, and some others, which discovered too great presumption, they were not broke till two years after. They had afterwards cause to repent of this insult offered to Lewis XIV.

When I said, that Charles, in all appearance, proposed the triple league only to amuse the publick, and appease in VOL. XI. X some

n From this time, England had the best opportunity of holding the ballance of Europe, which if it had immovably observed, and with reasonable vigour, it might have saved spending of those millions of treasure, and oceans of blood, that have since happened. Edward—Whatever the Spanish lost by the French ravages, the English gained a very great private benefit by it: for

one Brewer, said to be of English parents, with about fifty Walloons, who wrought and dyed fine woollen cloths, thereupon came into England, and by them the English were in a few years instructed to make and dye fine woollen cloths, cheaper by forty per cent. than they could before. R. Coke, tom. II. p. 161.

The Dutch challenge the honour of it, Basnage. and strike a medal. Hist. Metall. Basnage, II. p. 28, 29. La Neuville, als. Baillet.

Reasons which show Charles only amused the publick. Temple's letters.

1668. some measure the discontents of the people, which began to appear, I founded my conjecture, first, upon sir William Temple's suspicion, that the king would not long continue in this resolution. This suspicion appears in several of his letters. But as they were writ to the earl of Arlington, secretary of state, he contented himself with insinuating his belief, without daring to speak too openly. Secondly, it has been seen in a letter of the king of France to d'Estrades, how little Charles concerned himself for the preservation of the Netherlands, since, believing, that Lewis directed his views that way, he offered to let him make that conquest unmolested, without reserving an inch of land to himself, provided Lewis would abandon the states general. Thirdly, the sale of Dunkirk to France showed, that Lewis's conquests in Flanders would give but little jealousy to Charles. In the fourth place, at the very time that all Europe was dissolved in joy for the conclusion of the triple league, sir Thomas Clifford, the king's favourite, said openly,——  
 “ Well, for all this noise, we must yet have another war  
 “ with the Dutch before it be long.” Fifthly, France herself did not discover much uneasiness at this triple alliance. She not only insisted upon all her pretensions, but even mr. de Lionne, secretary of state, writing to d'Estrades on occasion of the triple alliance, has these words,——“ If the  
 “ Dutch enter into alliances contrary to the interests of his  
 “ majesty, we shall not be so much troubled at it as they  
 “ imagined: I know what I say, and upon what foundation I speak it.” If to this be added, king Charles's strange conduct afterwards, in making a league with France against Holland, it cannot but be suspected, that there was at that time a secret correspondence between France and England. Sixthly, events are commonly the best interpreters of men's actions. And it will presently appear, that Charles made but little account of his engagements, entered into by the triple alliance; but it is not time yet to speak of these matters.

Temple.  
 Echard,  
 III. p. 230.

The king  
 lives in  
 great  
 disorder.  
 Burnet.  
 Echard.

After the removal of the earl of Clarendon, the face of the English court was entirely changed. The king, more at ease by the absence of a troublesome minister, whose very presence was a reproof to his conduct, gave himself up to his pleasures, without any reserve or discretion. The duke of Buckingham, who had no religion, and gloried in his debaucheries, and Wilmot earl of Rochester, the greatest wit, and the most satirical and licentious poet of his age, were

were his principal favourites°. With these two men, and his mistresses, the king spent almost his whole time, and it was with difficulty that his ministers could find an opportunity to speak to him of his affairs. Pleasures and debauches were the sole entertainments of the court, and vice appeared there barefaced. In a word, England had never seen a more disorderly court, and, unhappily, their example had but too much influence on the rest of the people. The king was prodigal to excess. Besides his standing revenues, which, as we have seen, amounted to twelve hundred thousand pounds sterling, he had consumed the eighteen hundred thousand pounds given him the last year by the parliament, in uses for which that money was not intended. This year, he had asked a supply of his parliament, pretending a necessity to build some new ships of war, and to put a great fleet to sea, in maintenance of his engagements by the triple alliance. The parliament had granted him three hundred and ten thousand pounds, but the act not passing till two days after the signing of the treaty of Aix la Chapelle, not a single ship was built, and the necessity of putting a fleet to sea, vanished at once. Notwithstanding this, he was always in want, and his revenues perpetually anticipated.

But a still greater misfortune to England was, that only papists, or men of no religion, had any credit at court. The duke of Buckingham, the earl of Rochester, and the king's mistresses, were not persons who gave themselves any trouble to stop the progress of popery. The earl of Arlington, secretary of state, was, like the king, a disguised, and Clifford, a declared papist. The duke of York was not only a catholic, but also very zealous for his religion. Being considered as presumptive heir to the crown, great court was made to him, and with the more application, as his revenues being large, and his management frugal, he had wherewithal to gain courtiers. It may be judged, that his zeal had suffered him not to advance protestants to places of trust, when he could introduce persons of his religion. He had so powerful a party at court, and so many creatures about the king's person, that he was in a manner absolute there, and directed the resolutions of the council. Lastly, if the king had any religion, he was most inclined to popery. He found, besides a considerable advantage in caressing the papists, whom he esteemed his firm friends, whereas he

X 2

could

° John Wilmot earl of Rochester too young to partake of the king's was then but twelve years old, an age debaucheries.

1668. could not help dreading the zeal of the protestants, in case they should discover, he had abjured their religion.

Design to make the king absolute.

After this view of the state of the English court, it is easy to conceive, that those who had most credit and access to the king, could hardly intend the benefit of the kingdom. Every one of his most intimate counsellors would have been glad to see the king absolute, that he might have at command the whole riches of England to lavish upon them. The king himself was so uneasy to be continually forced to devise fresh pretences to demand money of his parliament, that he could have wished to be delivered from that trouble, and to have free liberty to take what he wanted without asking. But on the other hand, he thought himself obliged to proceed circumspectly, the example of his father not permitting him to engage in the same course, before he had taken greater precautions. This was the reason, that for some years the court projects were executed gradually, and with great dissimulation, notwithstanding the warm temper of the duke of York, and the eagerness of the papists. For it may be affirmed, that the king alone opposed their career, whether out of fear or prudence.

The king visits divers places. Sends a fleet into the Mediterranean.

This summer, the king diverted himself with making several progresses into the country, to view the ports and the navy. He sent a squadron into the Mediterranean, commanded by sir Thomas Allen, who forced the Algerines to a peace very advantageous to England.

Embassies. Kennet, p. 294, 295. Echard. J. Phillips.

Nothing more of any importance passed during the rest of this year, except some embassies, which the sequel requires should be mentioned. Sir William Godolphin was sent to the court of Spain; mr. Ralph Montague was first envoy, and soon after ambassador to France; the earl of Carlisle went ambassador to Stockholm\*, and sir William Temple ambassador extraordinary to the states general. On the other hand, monsieur Colbert was sent from France to reside as ambassador at the English court.

Advancements at court. Sept. 19. Sept. 29.

There were also some changes at court: among others, sir Thomas Clifford was made treasurer of the household, the duke of Monmouth, the king's natural son, was made captain of his life guard of horse; sir John Trevor, lately returned from France, where he had been envoy, was sworn one of his majesty's principal secretaries of state, on the resignation of sir William Morrice, to whom was given ten thousand pounds sterling.

This

\* With Sir Samuel Moreland as envoy.

This year died Algernoon Percy, earl of Northumberland, 1668. who was succeeded by his son <sup>p</sup>; the famous poets Davenant, and Denham; and the great soldier sir William Waller, so often mentioned in the history of the civil wars. He had been imprisoned by the independent parliament, and confined till the king's restoration, when he was delivered, being considered on account of his sufferings as a sort of royalist.

Deaths.  
Echard.

Though the year 1669, produced no memorable events, 1669. it was however fatal to Europe, since it was, probably, this year that measures began to be taken for the strict union of France with England. At least, it appears in sir William Temple's letters, that mr. Puffendorf, who had this year been sent envoy from Sweden to the court of France, calling at the Hague in his return, said to sir William Temple <sup>q</sup>, that a minister at the French court had assured him, that the triple alliance would not subsist, and that the English court had already changed their measures. The same mr. Puffendorf saw a letter in marshal Turenne's hands at Paris, from monsieur Colbert the French ambassador in London, wherein that ambassador, speaking of the English court, has these words:—"I have at last made them sensible of the whole extent of his majesty's liberality." So, it is scarce to be doubted, that Colbert's embassy to London was designed to gain or corrupt the English court, and that he succeeded. It is the time only that is questioned, since the thing itself appeared manifestly in the sequel.

Is gained by  
France.

The latter end of March, Cosmo de Medici prince of Tuscany arrived in England, where he was received with all the respect due to his birth and particular merit. As his design was only to see England after he had visited Spain and France, he was shown, by order of the king, whatever was curious, and particularly the two universities.

The prince  
of Tuscany  
arrives in  
England.  
March 22.  
Kennet.  
Echard.

Shortly after his departure, prince George of Denmark came also to pay the king a visit, but made no long stay then in England.

Prince  
George of  
Denmark.  
July.

The 9th of July the large and magnificent theatre at Oxford, built at the expence of dr. Sheldon archbishop of Canterbury, was opened. He was chancellor of the university, and shortly after resigned that honour to the duke of Ormond. The duke was still lord lieutenant of Ireland, but

Theatre at  
Oxford  
opened.  
Kennet.

X 3

soon

<sup>p</sup> Who died within two years, and with him was extinct the antient and amous family of the Percy's.

<sup>q</sup> He said so to mr. de Wit, who told sir William Temple of it. See Temple's let. p. 179.

1669. soon after was removed, and succeeded by the lord Roberts, who was not of the duke's principles.

The king's  
scheme for  
religion.

In all appearance, the king had now formed a sort of scheme with regard to religion. This was to incorporate the presbyterians with the church of England, and procure a toleration for all the other nonconformists. He might have in this a double view, First, to gain the presbyterians, who were very numerous in the kingdom, and perhaps make use of them, thus united with the church of England, to check the fury of the episcopalians, who were not less enemies to the papists than to the presbyterians. If the king had not been a papist, which was then little known, it would be difficult to understand this policy, since, supposing him a zealous member of the church of England, what occasion had he to guard against her? But being a catholic, the advantages of these precautions are very visible. His second view, universally allowed, and afterwards manifestly discovered, was, by procuring an indulgence for all nonconformists without distinction, to procure also the same favour for the papists.

The presbyterians  
caressed,

A project of  
a comprehension, in  
order to  
which, the  
lord keeper  
procures a  
conference  
between  
some church  
and presbyterian  
ministers.  
Kennet,  
p. 295.  
Echard,  
Burnet,  
p. 259.

The church  
ministers  
make large  
concessions.

In pursuance of this scheme, the king and his ministers affected to express great kindness for the presbyterians, and this kindness encouraged them to appear more openly, and hold their assemblies with less caution and secrecy. In short, sir Orlando Bridgeman lord keeper, whether privy to the king's secret intentions, or led by motives of mildness and humanity, acquainting two of the most eminent presbyterian ministers, that he desired a conference with them; they waited on him accordingly, and he freely told them, he designed to make them some proposals for a comprehension for the presbyterians, and a toleration for the independents and the rest. Upon this occasion, these two presbyterian ministers had several conferences with two episcopal doctors, one of whom was chaplain to the lord keeper. When it is considered, that in the Savoy conference, at the beginning of this reign, the two parties could not agree in any one point, and that in the present conference an agreement was immediately made, it can hardly be doubted, that the two episcopal divines came fully prepared to facilitate the accommodation. However this be, they agreed among them concerning reordination, which was the point they most differed about, That all presbyterian ministers who had been already ordained, should be admitted into the ministry of the church

r Dr. Manton, and mr. Baxter.

s Dr. Wilkins, and dr. Burton the keeper's chaplain.

1669.

church of England with this form of words, "Take thou legal authority to preach the word of God, and administer the holy sacraments, in any congregation of England, where thou shalt be lawfully appointed thereunto." This was not properly a new ordination, but only a power to exercise their ministry in the church of England. It was also agreed, that ceremonies should be left indifferent, so that they might be used or not, according as every one should think fit; and that the liturgy should be altered: Moreover, that those who could not be comprehended should be indulged: and for security to the government, the names of the teachers, and all the members of the congregations should be registered. Agreeably to this scheme, the lord chief justice Hale undertook to draw up a bill against the ensuing parliament, and the lord keeper promised to support it with all his power. It is easy to perceive, this project, however necessary to the king's designs, was however directly contrary to the principles of the parliament, who were averse to all condescension. Accordingly it came to nothing.

Mean time, whether the secret of what passed in the conferences was not well kept, or the nonconformists, encouraged by the court, assumed too much liberty, the archbishop of Canterbury resolved to use his utmost endeavours to break their measures. For that purpose he writ to all his suffragan bishops a circular letter, requiring them to take a very particular account of them in their dioceses. When he was provided with the necessary informations, he went to the king, and obtained from him a proclamation to enforce the laws against conventicles, and particularly the act for restraining nonconformists from inhabiting in corporations. This proclamation was executed like those against the papists. For, about two months after, the king caused the nonconformist ministers to be told, that he inclined to favour them, and if they would address him for his clemency and the liberty they enjoyed under him, it would be accepted. Whereupon such an address was prepared, and presented to the king at the earl of Arlington's lodgings, who received it graciously, and returned a favourable answer.

The archbishop of Canterbury tries to break the measures for a comprehension. June 8. Kennet, p. 301. Richard.

A petition of the nonconformists favourably received by the king.

The parliament, according to the prorogation, met the 19th of October. The king in a short speech demanded money for the discharge of his debts, and briefly proposed

X 4

the

t His answer was, "That he would do his utmost to get them comprehended within the publick establishment."

1669. the union of the two kingdoms of England and Scotland. Then the lord keeper enlarged upon these points. But the commons, instead of taking the king's speech into consideration, proceeded upon other affairs. The publick accounts were examined<sup>a</sup>, with the uses to which the king had applied the money given him by the parliament, and sir George Carteret, who had the keeping of some of the books being found very blameable, was expelled the house, then they addressed the king to thank him for his proclamation against conventicles, praying him to continue the same care to suppress them for the future.

The commons examine the publick accounts. Echard, p. 238—240.

Proceedings against the nonconformists.

But, not contented with this, they appointed a committee to enquire into the behaviour of the nonconformists. This committee reported, " That there were divers conventicles " and other seditious meetings near the parliament, where " great numbers of disaffected persons frequently met, which " was not only an affront to the government, but also of " imminent danger to both houses, and the peace of the " kingdom." It seems, the house was ashamed to show so much resentment against the presbyterians, solely on the account of religion, and therefore took great care to interest the state, in order to create a belief, that the presbyterians were guilty of sedition. For they were always included under the general denomination of nonconformists, so that it was believed they ought to be responsible for the conduct of the other sects, with whom however they had no communication. Upon the report of the committee, the house declared, that they would firmly adhere to the king in the maintenance of the established government of the church and state, against all enemies whatsoever. When it is considered, that the state had never enjoyed a more perfect tranquillity than at present, it can hardly be questioned, that this declaration of the commons was owing to the forementioned project, which, doubtless, was come to their knowledge, and of which they were resolved to prevent the execution, by indirectly declaring how much they were against it.

Vote of the commons.

The commons vote the king a supply.

At last the commons voted the king a supply of four hundred thousand pounds. But, before they considered of the means to raise this sum, they revived the debate concerning Skinner and the East India company, and came to several resolutions, which the lords looked upon as so many violations of

<sup>a</sup> And, after all the most shameful items that could be put into an account, there was none offered for

about eight hundred thousand pounds. Burnet, p. 268.

of their privileges in point of judicature. The difference between the two houses daily increasing, the king saw, it would be very difficult to reconcile them, and that the commons would not proceed upon the money bill till this affair was adjusted; and as he had no room to expect an agreement, he prorogued the parliament the 11th of December, to the 14th of February following.

1669.  
The difference of the two houses renewed.  
Burnet, p. 241.  
The parliament prorogued.  
Affairs of Scotland.  
Kennet, p. 298, &c.

The parliament of Scotland met the same day with that of England. But before I speak of the transactions of that parliament, it will not be improper, briefly to show the character of the duke of Lauderdale, the king's high commissioner. This lord made so great a figure in this reign, both in England and Scotland, that his character must not be thought foreign to our history.

John Maitland, earl (afterwards duke) of Lauderdale, was, during the troubles in Scotland, a rigid presbyterian, a zealous covenanter, and a distinguished enemy of the royal authority. But he turned to the king's interest in 1647, when duke Hamilton invaded England, for the service of Charles I. From that time, he was looked upon in Scotland as an enemy of his country. But, after the arrival of Charles II. in Scotland, and the composition of the differences between the Scots, he followed the king into England, was taken at the battle of Worcester, and confined in several prisons, till the king's restoration. During his imprisonment he had great impressions of religion on his mind. But after the king had received him into his favour and council, he so entirely wore them out, that scarce any trace of them was left. Whether he knew the secret sentiments of the king and duke of York, with regard to religion and the government, or only suspected them, he imagined, the best way to preserve his favour, was to enter into all the king's supposed views, and endeavour to render him absolute in both kingdoms. Upon the king's restoration, it was debated in council, whether episcopacy should be restored in Scotland. The earl of Lauderdale strenuously opposed it, for an extraordinary reason, namely, "That if the king pleased the Scots, he would be sure of them in order to the executing of any design he might afterwards be engaged in." This advice, though it was not followed, was acceptable to the king, and rivetted the duke in his favour. The resolution to restore episcopacy having been executed, no man appeared more ardent against the presbyterians, nor had they a more violent persecutor. I shall doubtless have occasion to say more of him

Character of Lauderdale.  
Burnet.

1669. him hereafter, but this suffices to give some idea of his character.

The Scotch parliament enlarges the king's supremacy, and approves by an act the raising of the militia.

The intention of this act.  
Burnet,  
p. 284, 285.

It was through his means and intrigues that the parliament, held this year in Scotland, passed an act which raised the king's supremacy higher than ever. The same parliament approved the raising of the militia, and it was enacted, that it should be kept up, and be ready to march into any of the king's dominions, for any cause in which his majesty's authority, power, or greatness, should be concerned; and that orders should be transmitted to them from the council, without any mention of orders from the king. It was not at first known, what could be the intent of an act which seemed to take the militia out of the king's hands, and put it into the power of the council. But it was afterwards perceived, that this was Lauderdale's contrivance, that if the king should have occasion to call in the Scottish army, it should not be necessary to send any orders himself, but that the council, upon a secret intimation, might do it without order; and then, if the design should miscarry, it should lie on the council, whom the king might disown, and so none about him be liable for it. This shows, that projects were then forming to render the king absolute in England.

Deaths of the queen mother, the duke of Albemarle, and Mr. Prynn, Echard, Skinner.

This year, the king's mother died in France, the 10th of August, in the sixtieth year of her age. The famous duke of Albemarle died likewise the 3d of January, and was succeeded in his estate and honour by Christopher his only son. To these deaths may be added that of the famous Prynn, the indefatigable author of more than two hundred treatises, most of them of little esteem.

1669-70.

The king's speech to his parliament.  
Echard.

The parliament meeting the 14th of February, the king told the two houses, " That when they last met, he asked them a supply, and now asked it again with great instance: The uneasiness and straitness of his affairs could not continue without very ill effects to the whole kingdom. He let them know, that having fully informed himself of the expences of the last war, he could assure them, that no part of the monies they had given him, had been diverted to other uses. But on the contrary, a very great sum had been raised out of his standing revenue and credit, and a very great debt contracted, and all for the war. Lastly, he recommended to them, not

" to

Let it be remembered of him, that he was a considerable instrument in the restoration, was received into favour, had the records of the Tower

committed to him, which he put into good order, and died a member of the present parliament, being one of the representatives for the city of Bath.

"to suffer any occasion of difference between themselves to  
 "be revived."—— 1669-70.

The lord keeper then made a speech, which I think ne-<sup>Echard,</sup>  
 cessary to insert at length, to show the king's confidence III. p. 248.  
 in this parliament, which had already granted him such  
 large sums.

My lords, and you knights, citizens, and burgessees of the  
 house of commons,

"AT your last meeting, his majesty did acquaint you  
 "with the great occasions he had for a supply, and that  
 "he had forbore to ask it sooner, more in consideration of  
 "giving some time for the ease of the people, after the  
 "burden of the war, than that the condition of his affairs  
 "could so long have wanted: and his majesty hath com-  
 "manded me now to speak more fully and plainly upon  
 "this subject. His majesty hath not only by his ministers,  
 "but in his own royal person, examined the accompts,  
 "touching the expences of the last war, and had thought  
 "himself concerned to let you know, that all the supplies  
 "which you gave him for the war, have been by him ap-  
 "plied to the war, and no part of them to any other uses:  
 "nay, so far from it, that if the preparations towards the  
 "war shall be taken to be for the use of the war, as they  
 "must be, a great part of his own revenue, to many hun-  
 "dred thousands of pounds, hath been employed also, and  
 "swallowed up in the charge of the war, and what did ne-  
 "cessarily relate to it. To which may be added the great  
 "debts contracted by his majesty in the war, and the great  
 "charges in the repairs of the hulls of his ships, and put-  
 "ting his navy into such a condition as it was before. Be-  
 "sides, his majesty thinks it ought to be considered, that  
 "when the charges of the war were at the highest, the  
 "inevitable effects of it, and those other calamities, which  
 "it pleased God at that time to bring upon us, did make  
 "so great a diminution of his revenues, that, besides all  
 "other accidents and disadvantages, the loss that he sus-  
 "tained in three branches of his revenue, in his customs,  
 "excise, and hearth-money, by reason of the war, the  
 "plague, and the fire, did amount to little less than to six  
 "hundred thousand pounds. Thus you see, that though  
 "your supplies have been great, yet the charges occasioned  
 "by the war, and the calamities which accompanied it,  
 "have been greater: and that the debt which is left upon  
 "his

1669-70. " his majesty, and which he complains of, hath been contracted by the war, and not by the diversion of the monies designed for it.

" His majesty hath commanded me to say one thing more to you upon this subject, That he did not enter into the war upon any private inclination or appetite of his own. " The first step he made towards it, did arise from your advice, and the promises of your assistance: but if the charges and accidents of the war have outgone all your supplies, and left him under the burden of this debt, he thinks, that as well the justice to your promise, as the duty and loyalty you have always shewed him, will oblige you to relieve him from it: and the rather, when you shall seriously consider, how uneasy this burden must be to him, and what ill consequences the continuance under it must draw upon all his affairs; in which particular you, and every person you represent in this nation, will be concerned, as well as himself. His majesty doth therefore command me in his name, to desire you once more, and to conjure you, by that constant duty and loyalty which you have always expressed to him, and by all the concernment you have for the support of the honour and safety of his government, to provide such a supply for him at this time, as may bear proportion to the pressing occasions that he hath, and to the state of his affairs at home and abroad; and so speedily and so effectually, as may answer the ends for which he hath desired it. His majesty hath further commanded me, to put you in mind of what was at your last meeting proposed to you concerning an union between the two kingdoms, and to let you know, that the parliament of Scotland, hath since declared to his majesty, That such commissioners as his majesty shall name, shall be authorized on their part, to treat with commissioners for this kingdom upon the grounds and conditions of the union. His majesty therefore thought fit now again to recommend it to you, to take that matter effectually into your consideration."

A large supply granted to the king.

It would have been cruel not to be moved with the king's wants, after having so gloriously maintained a war against Holland, for which the parliament had granted him but five millions five hundred and fifty thousand pounds sterling, since the peace. Wherefore the commons, as an effectual mark of their affection for the king, and of their reliance on the truth of the keeper's speech, voted the king a supply capable to deliver him from his heavy burden. For this purpose they prepared

prepared two bills, one "to lay a duty upon all wines and vinegar imported into the kingdom, from the 24th of June 1670, to the 24th of June 1678;" the other "for the advancing the sale of his majesty's fee-farm rents, and other rents." The first is computed at five hundred and sixty thousand pounds sterling; the other, is believed to have raised more than double that sum, so that he could depend upon seventeen hundred thousand pounds. Thus the king received for this glorious war with Holland, seven millions seven hundred and sixty thousand pounds sterling, which amount to eighty two millions five hundred and sixty thousand Dutch florins. And yet, there are English writers who seem to triumph, that this war cost the states forty millions.

The difference between the two houses being revived this session, the king, fearing the consequences, summoned both houses to Whitehall, and proposed to them an expedient to end it; namely, by razing all entries and records, votes and resolutions concerning Skinner's affair, which was agreed to, and so the dispute was at an end.

This agreement produced an address, presented jointly to the king by both houses the 11th of March, to pray him to give order for the suppression of conventicles in and near London and Westminster, and to put the laws in execution against popish recusants. The king answered, that effectual course should be taken in both cases.

The 11th of April, the king came to the house of peers, and passed twelve bills, among which were the two money bills, and a third for the suppression of seditious conventicles. The substance of this act was, that, "If any person upwards of sixteen, should be present at any assembly, conventicle, or meeting, under colour or pretence of any exercise of religion, in any other manner, than according to the liturgy and practice of the church of England, where there were five persons, or more, besides those of the household; in such cases the offenders were to pay five shillings for the first offence, and ten for the second. And the preachers and teachers in any such meetings, were to forfeit twenty pounds for the first, and forty for the second offence. And lastly, those who suffered any such conventicles in their houses, barns, yards, &c. were likewise to forfeit twenty pounds." Most of the English

Statute b.  
Echard,  
III. p. 250,  
251.  
R. Coke,  
II. p. 162.

Addresses  
against non-  
conformists  
and papists.

Divers acts.  
Statute b.  
One against  
conventicles  
Echard,  
p. 251.

Echard,  
historians, III. p. 251.

x This act was severely executed in London, and put things in such disorder, that many of the trading men began to talk of removing with their

stocks over to Holland. But the king put a stop to further severities. Burnet, p. 270.

1670. historians, attached to the church of England, endeavour to excuse the severity of this act, by saying, it was made more upon political, than upon religious, accounts. But this is always by means of the general name of nonconformists, under which the presbyterians were comprized, though, since the king's restoration, they had never been concerned in any insurrection, or ill design against the government.

Parliament adjourned. After passing these acts, the king adjourned the parliament to the 24th of October.

It seems, that hitherto the king had reason to be pleased with a parliament, which, besides a standing revenue of twelve hundred thousand pounds sterling, had granted him solely for the war with Holland, above seven millions and a half, without reckoning so many other extraordinary sums given him before the war. This parliament, supposing the king a zealous member of the protestant church of England, desired but two things, which, upon that supposition he might readily grant. The one was, to come into their views and measures for the destruction of the presbyterians; the other to disable the papists from giving any jealousy to the protestants. On the other hand, the parliament might justly suppose, that after having carried the royal prerogative so high, the king had reason to be pleased, and would endeavour to preserve a happy union with a parliament so devoted to him. It is certain, if the king had entirely complied with the parliament in these two articles, and confined his prerogative within the extensive bounds which the parliament seemed to prescribe to it, he might have spent his days with more happiness, tranquillity, and plenty, than any of his predecessors. But the parliament's suppositions being false, it is not surprising, that the king would not enter into their views. Instead of being zealous for the protestant religion, his intention was to overturn it. Instead of destroying the presbyterians, his design was to grant them an indulgence, in order to have a pretence to procure the same for the papists. Instead of being content with the power ascribed him by the parliament, he thought it unworthy a king to found the extent of his authority upon acts of parliament only. Besides, it was a pain to him to be forced to demand money, and to use for that purpose pretences notoriously false, though the parliament seemed to be satisfied with them. It would have been more agreeable to him to say, "It is my will and pleasure," than to be obliged to use humble intreaties to the commons. This his favourites were continually representing to him, and to this the example of what he had himself

1670.

self seen practised in neighbouring states strongly prompted him. He was therefore impatient to free himself from this yoke of the parliament, and the more, as by augmenting his power, he should be better able to countenance the papists, and introduce their religion, which was his own as well as his brother's. But if father Orleans the jesuit is to be credited, these were not the motives which induced the king to take other resolutions. "It was solely the indignation of his ministers to see a republican spirit creeping into the parliament, and engaging them in so many proceedings against the royal authority. Among other things, the triple alliance into which the republican cabal had forced the king, contrary to his inclination, appeared to the ministers an audacious usurpation upon the royal prerogative, the consequences of which were to be prevented. Full of these resentments, they persuaded the king to render himself absolute, in pursuance of the rights of his crown, and the laws of the kingdom, to confine the parliament within the bounds prescribed by immemorial custom, and not to suffer a mixture of a republic with a monarchy, introduced by violence and encroachments, for fear this mixture should in time produce a monstrous anarchy, and expose England to a horrible confusion, like that from whence she was so lately delivered."

Extract  
from father  
Orleans's  
history.

I shall make no remark on the little foundation this writer had to ascribe a republican spirit to this parliament, nor on the king's being forced into the triple alliance by the pretended republican cabal, nor lastly on the maxims he establishes with respect to the constitution of the English government; because every unbiaſſed reader is, I suppose, able to see clearly the weakness of this reasoning. But, since father Orleans says himself that he was informed by James II. of the particulars of his own and his brother's reign, I believe this historian's word may be taken, that at the time I am speaking of, Charles had resolved to render himself absolute. This is a truth which must always be remembered, if we desire to understand all the events of this reign.

He aims to  
be absolute.

This resolution being taken, the king easily saw, that the execution of it required an artful and cautious conduct, and such secret and imperceptible methods, as would not too plainly discover his intentions. For he could not suppose, that because he desired to be absolute, the people of England would immediately give up their liberties and privileges.

The king  
establishes a  
council,  
which is  
called the  
cabal.  
Echard,  
III. p. 251.

1670.

vileges. It was therefore necessary, to lead them to it insensibly and by degrees, and to that end he wanted a secret council composed of few persons, in whom he might entirely confide, and whose interest it was to accomplish this design. The ordinary council consisting of twenty one persons, was not proper to conduct the affair; for, besides that some counsellors had a right to their places, as for instance the archbishop of Canterbury, it was very difficult to engage so many persons of the first rank in such a plot. To effect therefore the undertaking with the more caution, the king established a cabinet council of five persons only, namely,

Clifford.  
Arlington,  
Buckingham,  
Ashley,  
Lauderdale.

As the initial letters of these five names compose the word CABAL, this secret council was from thence called the cabal. But before I proceed to the resolutions taken by this council, it will be necessary to give a brief character of the members.

Character  
of the  
counsellors.  
Clifford.

Sir Thomas Clifford, according to father Orleans, only wanted a stage, where sound reason and virtue were more frequent than at this time in England, to appear superior to the others. He was a declared and known papist, so that he took no pains to disguise his religion. It was he who, after the triple alliance was concluded, said, "notwithstanding all this noise, we must yet have another war with Holland." As the event justified his prediction, very probably, the scheme I have just mentioned, was then formed, and he in the secret.

Temple.  
R. Coke.

Henry Bennet, earl of Arlington, secretary of state, passed for a man of the least genius of the five, but this was well supplied by his great experience, and knowledge in foreign affairs. It is pretended, that being one of the king's retinue in his journey to Fontarabia in the year 1659, he was the principal instrument to induce him to change his religion. However that be, he was truly a catholic, though, with the king, he outwardly professed the protestant religion. This is now universally agreed.

Earl of  
Arlington.

Burnet,  
P. 99.

George

y In the whole course of his ministry, he seemed to have made it a maxim, That the king ought to shew no favour to popery, but that all his

affairs would be spoiled, if ever he turned that way; which made the papists become his mortal enemies,

George Villiers duke of Buckingham, the king's favourite, had a very lively wit. He might have made a great minister of state, had not his strong passion for pleasures, and all sorts of debaucheries, diverted him from business. But nothing could tempt him to quit a dissolute life, to which he had been used from his youth. He gloried in having no religion, and was reckoned an atheist. Such a favourite was no great honour to the king \*.

1670.  
Duke of  
Buckingham.

Sir Anthony Ashley Cooper, created two years after earl of Shaftbury, was one of the greatest geniuses England had produced for many years. This is the testimony equally given him by friends and enemies. Father Orleans gives the following character of him, "He was the most capable of the five to manage any important undertaking, and was the soul of this I am now speaking of. He had a vast genius, was penetrating, bold, and equally steady, both on the right and the wrong side; a constant friend, but an implacable enemy, and the more dangerous, as being void of all religion and conscience, it was the easier for him to plot, because he was not deterred by the number or enormity of any crimes, when he judged them necessary to preserve himself, or destroy those who had incurred his hatred." I shall observe here, that this character of the earl of Shaftbury is not founded upon what he had done before his admission into the cabinet council, but upon what he did afterwards. For, leaving the king's party for that of the people and parliament, the royalists ascribe to his intrigues alone, all the troubles which afterwards happened. Mr. Locke speaks otherwise of him. It is true, he says nothing advantageous of him in respect of religion. But however this be, in allowing the character given by father Orleans, it is easy to see, what sort of men the king thought he wanted for the execution of his designs \*.

Earl of  
Shaftbury.

Mem. of  
Shaftbury.

The

\* Burnet says farther of him, That he had the art of turning persons and things into ridicule beyond any man of his age; he possessed the king when abroad with very ill principles, both as to religion and morality, and with a very mean opinion of his father king Charles I. whose stiffness was with him a frequent subject of railery, p. 53.

\* Burnet says of him, That as to religion he was a deist at best: he had a wonderful faculty in speaking to a

popular assembly, and a particular talent to make others trust to his judgment. He had the art of governing parties, and make himself head of them. He was good at opposing and running things down, but had not the like force in building up. He had a general knowledge of the lighter parts of learning, but understood little to the bottom. He pretended Oliver Cromwell offered to make him king. He was indeed of great use to him, in withstanding the enthusiasts of that

time.

1670.

Duke of  
Lauderdale.

The duke of Lauderdale was the most proper of the five to serve the king in this affair. To describe a lord, who had so great a share in the affairs of England and Scotland in this reign, I shall insert here, the characters given of him by father Orleans, mr. Echard, and dr. Burnet bishop of Salisbury.

The first contents himself with saying, that the duke of Lauderdale, secretary of state in Scotland, was a very subtle man, and a refined politician.

T. III. p.  
244.

Mr. Echard says of the duke, " The enlarging of the king's power and grandeur in Scotland, was much owing to the management of the present commissioner Lauderdale, who had formerly been as much for depressing, as he was now for exalting the prerogative. From the time of his commission, the Scots are said to calculate the date of all the ensuing inconveniences in this, and the following reign. For having there undertaken to make the king's power absolute, and arbitrary, he strained the royal prerogative to all kinds of excesses; and assumed to himself a sort of a lawless administration of affairs, the exercise of which was supposed to be granted to him, upon the large promises he had made: and more apprehending other mens officious interfering than disturbing his own abilities, he, in time, took care to make himself his majesty's sole informer, as well as his sole secretary, and by that means, not only upon pretence of the king's prerogative, the affairs of Scotland were disposed of in the court of England, without any notice taken of the king's council in Scotland; but strict observation was also made of all Scotchmen that came to the English court; and to attempt an address, and access to his majesty, otherwise than by Lauderdale's mediation, was to hazard his perpetual resentment. By these ways he gradually made himself the almost only significant person of the whole Scottish nation; and in Scotland itself, procured to himself that sovereign authority, as to name the privy counsellors, to place and remove the lords of the session, and exchequer, to grant gifts and pensions, to levy and disband forces, to  
" appoint

time. His strength lay in the knowledge of England, and of all the considerable men in it. He knew the size of their understandings and their tempers, and how to apply himself dexterously to them. He often changed

sides, and gloried in doing it at the properest season. But his reputation was at last so low, that he died in good time for his family and party, p. 57.

"appoint general officers, and to transact all matters of importance." 1670.

This shews to a demonstration, how much the king was delighted with the absolute power exercised in his name in Scotland, and, consequently, that he would have been glad to enjoy the like power in England.

If I should transcribe all that is said of duke Lauderdale, by dr. Burnet, I should, I fear, be too tedious, and therefore I shall content myself with selecting a passage, where he is best described.—"The earl of Lauderdale, made a Burnet, very ill appearance: he was very big: his tongue was too big for his mouth, which made him bedew all that he talked to: and his whole manner was rough and boisterous, and very unfit for a court. He was very learned, not only in Latin, in which he was a master, but in Greek and Hebrew. He had read a great deal of divinity, and almost all the historians ancient and modern; so that he had great materials. He had with these an extraordinary memory, and a copious, but unpolished expression. He was a man, as the duke of Buckingham called him to me, of a blundering understanding. He was haughty beyond expression, abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion, that carried him often to fits like madness, in which he had no temper. If he took a thing wrong, it was a vain thing to study to convince him: that would rather provoke him to swear he would never be of another mind: he was to be let alone: and perhaps he would have forgot what he had said, and come about of his own accord. He was the coldest friend, and the violentest enemy I ever knew: I felt it too much, not to know it. He at first seemed to despise wealth; but he delivered himself up afterwards to luxury and sensuality: and, by that means, he ran into a vast expence, and stuck at nothing that was necessary to support it. In his long imprisonment he had great impressions of religion on his mind: but he wore these out so entirely, that scarce any trace of them was left. His great experience in affairs, his ready compliance with every thing that he thought would please the king, and his bold offering at the most desperate counsels, gained him such an interest in the king, that no attempt against him, nor complaint of him, could ever shake it, till a decay of strength and understanding forced him to let go his hold. He was in his principles much against popery, and arbitrary govern-

1670. "ment: and yet by a fatal train of passions and interests, he made way for the former, and had almost established the latter. And whereas some, by a smooth deportment, made the first beginnings of tyranny less discernable and unacceptable, he, by the fury of his behaviour, heightened the severity of his ministry, which was liker the cruelty of an inquisition, than the legality of justice. With all this he was a presbyterian, and retained his aversion to king Charles I. and his party, to his death."

If to these five members of the cabal, are joined, as in reason they ought, the king and the duke of York, it will be found that all the seven were for an absolute and arbitrary government; and that, with regard to religion, four were papists, namely, the king, the duke, Arlington and Clifford, and three without any religion, or at least they considered it only as an engine of state, these were Buckingham, Ashley, and Lauderdale.

Designs of  
the cabal.  
Orleans.  
Burnet.

It would be difficult to know the transactions of the cabal, if father Orleans instructed by king James II. had not told us that a war with Holland was there resolved, in order to furnish the king with a pretence to keep on foot both land and sea forces. For it is manifest, that such a design could be accomplished, but by force or fear. The pretence for this war was to be taken from the dispute about the flag, which might easily be renewed, and from the general complaints of the English merchants concerning their commerce, of which so great use had been made for undertaking the former war. "But, adds father Orleans, the true reason of making this war upon Holland, was the secret correspondence between the republicans of England and the Dutch, who were incessantly exciting them to rebellion, and to shake off the yoke of monarchy, being ever ready to support those that should attack it." This seems to contradict what the same author advances a few lines before, namely, that the true ground of the war was to furnish the king with a pretence for raising an army. There is however no contradiction: for it must be considered, that the design of the king and the cabal concerned two points, which went hand in hand, and formed properly but one design; namely, to introduce an arbitrary government, and to extirpate the protestant religion. As it could not be expected, that the English would tamely give up their religion and liberty without any resistance, it was natural to begin with depriving them of the only assistance

1670. assistance they could hope for, by attacking the Dutch, and disabling them to succour England. Those therefore who are called by father Orleans the republicans of England, were the persons, who, it was supposed, would oppose the king's designs, as well episcopalians as presbyterians, and the republicans properly so called. It is therefore clear, that the true reason of making war upon the states, was as much to put it out of their power to assist the English, as to have a pretence for raising forces, and that this was but one and the same reason.

Some time before, mr. Colbert de Croissy, the French ambassador at London, having founded the king and his ministers, concerning a strict alliance with his master, found them very favourably disposed<sup>b</sup>, especially when he had told them, that the design of the alliance was to humble the pride of the states general. Indeed nothing could more promote their intention, than the concurrence of France to destroy the hated and formidable power of the Dutch, who were alone capable of assisting the English. Some pretend, that the king then signed a secret treaty with France; but if so, this treaty, in all appearance, was only in general terms, which required more particular articles. However this be, the king of France, to finish this affair so happily begun, came to Dunkirk on pretence of viewing the Risbank which was then raising; and bringing with him the duchess of Orleans his sister-in-law, she took occasion from the neighbourhood of England to desire leave to visit her brother, which was readily granted, since every thing was already concerted. She was met by the king at Dover, where she arrived the 15th of May, and stayed above a fortnight amidst continual pleasures and diversions. But these diversions hindered her not from executing the commission she was charged with, which was, as it is pretended, to make a proposal to her brother in the name of his most christian majesty, of insuring him an absolute authority over his parliament, and restoring the catholick religion in his three kingdoms, as soon as the states should be sufficiently humbled. Though the conferences between the king and his sister were managed with great secrecy, the events with which they were followed, clearly discovered that this was the subject of them; and abbot Primi and

The king makes a secret alliance with France. Primi.

Echaré, III. p. 253. R. Coke.

The Duchess of Orleans comes into England. Ibid.

Burnet, P. 302.

Manages an alliance between the kings of England and France. Primi. Orleans.

Y 3

<sup>b</sup> He found a way to bring them into a favourable disposition, namely, by distributing among them a hundred thousand pistoles, which were sent to

him for that purpose, by his master the king of France. See Life of De Witt, tom. II. p. 344.

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father Orleans positively say it, except what concerns religion, which popish authors and some others scruple to own, for fear of justifying the suspicions afterwards entertained by the parliament, and the measures they would have taken to preserve religion from utter destruction<sup>c</sup>.

Death of the  
duchess of  
Orleans.  
Echard.  
III. p. 254.  
255.  
Temple.  
Kennet.

An accident which happened shortly after, seemed likely to break the good understanding between the courts of France and England. The 19th of June, the duchess of Orleans in perfect health, called, according to custom, for a glass of succory water at four in the afternoon. She had no sooner drank it, but she found herself ill, and her pain increasing, she died about two in the morning. She was universally believed to be poisoned, but the author of her death is not so unanimously agreed on, though the duke of Orleans her husband was by many secretly accused<sup>d</sup>. The first account of her death was brought to the king by sir Thomas Armstrong, who told him plainly, what the French thought of this sudden death, adding, that though he was in the chamber of the deceased at six the same morning, the stench of the corps was so strong, that he could hardly bear the room. The king could not help falling into tears, and expressing himself very passionately against the duke of Orleans, saying, "He was a—! but prithee, Tom, do not speak of it." Presently after, arrived the marquis of Bellefonds with the news, and to pay the compliment of condolence from the French king. He gave an account of the duchess's death, in the most proper manner to remove all suspicion.

Burnet,  
p. 303.

The duke of  
Buckingham sent  
into France  
to conclude  
a treaty with  
that king.  
Echard.  
Temple.

The king was soon comforted for the loss of his sister, and not thinking that this death, uncommon as it was, ought to break, or even retard, the measures taken with the court of France, he sent the duke of Buckingham to Paris, to conclude and sign the Dover agreement. The pretence used by the duke of Buckingham for his journey, was his desire to see France, and learn the language.

In September, Lewis XIV. made an irruption into Lorraine by his general marshal de Crequi. The duke, who had

<sup>c</sup> The duchess of Orleans brought over with her, and left in England, madame Louise de Queroualle, as a mistress for the king; probably, with design to retain and attach him to the interest of France. She was afterwards created duchess of Portsmouth, and is said to be still alive. See Echard, t. III. p. 254.

<sup>d</sup> The duke, her husband, heard such things of her behaviour, that it was said, he ordered a great dose of sublimate to be given her in a glass of succory water, of which she died a few hours after in great torments; and when she was opened, her stomach was all ulcerated. Burnet, p. 301.

had not expected to be attacked, was obliged to fly, and leave his duchy a prey to the marshal, who took possession in the name of his master. In vain did the duke hope for the intercession of Charles to the king of France, in return for the money lent and given him in his exile, and for the offer to serve him with all his forces. His envoy was answered, "That the king was sorry for what had happened, and that the present violence, like the mischiefs of a sudden inundation, must be endured at this time."

1670.  
The duke of Lorraine dispossessed of his duchy by the French, vainly applies for relief to king Charles.  
Echard. Proclamation against the old parliament-officers.  
Kennet. Echard, p. 256.

The parliament being to meet the 24th of October, the king, a few days before, published a proclamation, commanding all officers and soldiers serving in any of the armies of the late usurped powers, not having a constant habitation, to depart out of the cities of London and Westminster, and not to return again or come within twenty miles, till after the 10th day of December next, and in the mean time to carry no sword, pistol, or any other arms. This was to show the houses his care of their preservation.

The parliament assembling, the king after a short speech to both houses, referred all to the lord keeper. Probably, he durst not with his own mouth declare things so opposite to his designs, and which tended only to insnare the parliament. He chose rather to have this done by the keeper, who not being privy to the secrets of the cabal, might speak with more assurance, as being persuaded of what he said. He represented therefore in his speech—

"That France and the states general are powerfully arming by sea and land; are building new ships, and filling their magazines with all sorts of warlike provisions. That, since the beginning of the last Dutch war, France has so increased the number of her ships, that her strength by sea is thrice as much as it was before; and since the end of it, Holland has been very diligent also in augmenting her fleets. That in such a juncture common prudence requires, that his majesty should make some suitable preparations: that he has therefore given order, for the fitting out fifty sail of the greatest ships against the spring, besides those which are to be for the security of the merchants in the Mediterranean, as foreseeing, if he should not have a considerable fleet, temptation might be given to those who seem not now to intend it, to give us an affront, if not to do us mischief. To which may be added, that his majesty, by the leagues he hath made for the good of his kingdoms, is obliged to a certain

The keeper's speech to the parliament.  
Echard.

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“ number of forces in case of infraction thereof; as also  
 “ for the assistance of some of his neighbours, in case of  
 “ invasion. And his majesty would be in a very ill con-  
 “ dition to perform his part of the leagues, if, (while the  
 “ clouds were gathering so thick about us,) he should, in  
 “ hopes that the wind would disperse them, omit to pro-  
 “ vide against the storm.” He then told them, “ that his  
 “ majesty had made several leagues, as the triple alli-  
 “ ance; another with the states general; another with  
 “ the duke of Savoy; another with the king of Spain;  
 “ not to mention the leagues formerly made with Swe-  
 “ den and Portugal, nor those treaties now depending be-  
 “ tween his majesty and France, or between him and  
 “ the states general touching commerce; wherein his ma-  
 “ jesty will have a singular regard to the honour of  
 “ this nation, and also to the trade of it, which never  
 “ was greater than now it is.” He added, “ that his ma-  
 “ jesty finds by his accounts from the year 1660 to the  
 “ late war, the ordinary charge of the fleet communibus  
 “ annis, came to about five hundred thousand pounds a  
 “ year. If that particular alone takes up so much, the  
 “ revenue will in no degree suffice to take off the debts due  
 “ upon interest, much less give him a fund for setting out  
 “ this fleet, which by common estimation cannot cost less  
 “ than eight hundred thousand pounds.”—He then inti-  
 “ mated to them, “ that his majesty intended to put an end  
 “ to this meeting before Christmas, and therefore prayed  
 “ them to take his majesty’s affairs into their speedy and  
 “ affectionate consideration.”

The com-  
mons vote  
the king  
a large sup-  
ply.

Echard,  
III. p. 259.

and are ad-  
journed.

The house of commons, charmed with all these great  
alliances made for the honour and advantage of the nation,  
prepared immediately three bills, one to raise eight hundred  
thousand pounds by way of subsidies; another to lay an  
additional excise upon beer, ale, and other liquors for six  
years; a third for laying impositions upon proceedings at  
law for nine years. These three bills were to produce to  
the king two millions five hundred thousand pounds ster-  
ling. But, before any bill was finished, the king adjourned  
the parliament to the latter end of January.

The prince of Orange came to London about the close  
of the year 1669<sup>e</sup>, to pay a visit to the king his uncle.

The

<sup>e</sup> This speech was thought fit to  
be suppressed, nor is it in the journals  
of the house of commons. Echard,  
tom. III. p. 256.

<sup>f</sup> Upon real and personal estates.

Idem. p. 259.

<sup>g</sup> He arrived the 29th of October  
1669, and took his leave the 15th of  
February following. Kennet, p. 303,  
304.

The principal motive of his journey, was to demand of the king the repayment of money lent him by the prince his father in the time of his exile<sup>a</sup>. He was graciously received, and after a stay of about three months returned into Holland.

Before his arrival, Sir William Temple was recalled from his embassy in Holland<sup>b</sup>. He was not a proper instrument to be employed in the designs of the cabal. Besides, the court was disposed to a speedy rupture with the Dutch<sup>c</sup>.

The parliament meeting towards the latter end of January after a short recess, the commons began with preparing a bill which made it death for any man "maliciously to disable or dismember another, to put out an eye, to cut off a nose or lip, &c." This was owing to an attempt upon sir John Coventry, a member of the commons, in the street, in which his nose was slit. This fact was, by the king's order, committed to the duke of Monmouth his natural son, and the duke had employed some other persons, who, after the deed, retired to his house<sup>m</sup>.

The 14th of February the king sent a message to the house of commons to hasten the money bills. But the house thought proper, before these bills were presented to the

<sup>a</sup> And also to try what offices the king would do, in order to his advancement to the stadtholdership. Burnet, p. 273.

<sup>b</sup> Under pretence that it was only with intention of his informing his majesty better in the several points that concerned the present conjunctures of his station there, Temple's lett. p. 241.

<sup>c</sup> This year died Henry Jenkins, who deserves to be remembered on account of his extreme age. He was a poor fisherman of Yorkshire, born in 1501, and living in the reigns of eight kings and queens of England, died this year, aged 169 years, exceeding the famous Thomas Parr, who died 1635, full seventeen years.

<sup>d</sup> This was afterwards called Coventry's act, from the name of the person that was the occasion of it.

<sup>e</sup> The persons that committed this fact were, sir Thomas Sandys, Charles Obrian, Esq; Simon Parry, and Miles Reeves, who all fled from justice. Statutes, 22 Car. 2. c. 1. The reason of

his usage, it seems was this: he was an opposer of the money bills, and when passed, moved the laying a tax on the play houses, which were become nests of prostitution. This was opposed by the court: it was said, the players were the king's servants, and a part of his pleasure. Coventry asked, whether did the king's pleasure lie among the men or women players? this was carried with great indignation to court. It was said, this was the first time the king was personally reflected on: if it was passed over, more of the same kind would follow. Whereupon, the forementioned persons were sent to watch for sir John, and leave a mark upon him. He defended himself so well, that he got more credit by it, than by all the actions of his life. His nose was so nicely needled up, that the scar was hardly to be discovered. The commons put a clause in the bill, that it should not be in the king's power to pardon the persons concerned. Burnet, p. 269.

The prince of Orange in England. Kennet.

p. 303.

Echard.

Burnet.

Sir William

Temple re-

called,

Temple's

lett. p. 241.

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Sir John

Coventry's

barbarous

usage gives

an occasion

to a new act

of parlia-

ment.

Echard.

Kennet.

Burnet.

1670-1. the king, to address him concerning the growth of popery, for which the concurrence of the lords was obtained. As this address may serve to illustrate the history of this reign, it is not unnecessary to insert it entire.

The address  
of both  
houses  
against  
popery.  
Richard,  
1670. p. 265.

May it please your most excellent majesty,

" We your majesty's most humble and loyal subjects, the  
" lords and commons in this present parliament, being  
" sensible of your majesty's constancy to the protestant  
" religion, both at home and abroad, hold ourselves  
" bound in conscience and duty, to represent to your  
" majesty the causes of the dangerous growth of popery  
" in your majesty's dominions, the ill consequences  
" whereof we heartily desire may be prevented. And  
" therefore what we humbly conceive to be some present  
" remedies for the said growing evils, we have hert-  
" unto added in our most humble petitions.

#### Causes of the growth of popery.

- " 1. **T**HAT there are great numbers of priests and jesuits  
" frequenting the cities of London and Westminster,  
" and most of the counties of this kingdom, more than  
" formerly, seducing your majesty's good subjects.  
" 2. That there are several chapels, and places used  
" for saying of mass, in the great towns, and many other  
" parts of the kingdom, besides those in ambassadors houses,  
" whither great numbers of your majesty's subjects con-  
" stantly resort and repair without controul; and especially  
" in the cities of London and Westminster, contrary to  
" the laws established.  
" 3. That there are fraternities or convents of English  
" popish priests and jesuits at St. James's, and at the  
" Combe in Herefordshire, and other parts of the king-  
" dom; besides, several schools are kept in divers parts of  
" the kingdom for the corrupt educating of youth in the  
" principles of popery.  
" 4. The common and publick selling of popish cate-  
" chisms, and other seditious books, even in the time of  
" parliament.  
" 5. The general remissness of the magistrates and other  
" officers, clerks of the assize, and clerks of the peace, in  
" not convicting of papists according to law.  
" 6. That suspected recusants are free from all offices  
" chargeable and troublesome, and do enjoy the advantage

“ of offices and places beneficial ; executed either by themselves, or persons entrusted for them.

“ 7. That the advowantage of churches, and presentations to livings are disposed of by popish recusants, or by others entrusted by them as they direct ; whereby most of those livings and benefices are filled with scandalous and unfit ministers.

“ 8. That many persons take the liberty to send their children beyond the seas, to be educated in the popish religion ; and that several young persons are sent beyond the seas, upon the notion of their better education, under tutors and guardians, who are not put to take the oaths of allegiance and supremacy, and usually corrupt the youth under their tuition into popery.

“ 9. That there have been few exchequer processes issued forth since the act of parliament against popish recusants convicted, though many have been certified thither.

“ 10. The great insolences of papists in Ireland (where do publickly appear archbishops and bishops reputed to be made so by the pope, in opposition to those made under his majesty's authority, according to the religion established in England and Ireland) and the open exercise of mass in Dublin, and other parts of that kingdom, is further a great cause of the present growth of popery. That Peter Talbot, the reputed archbishop of Dublin, was publickly consecrated so at Antwerp with great solemnity ; from whence he came to London, where he exercised his function ; and was all along, in his journey to Chester, treated with the character of his grace by the popish recusants whom he visited : and at his landing at Dublin, was received with great solemnity by those of the popish religion there, where also he exercised his function publickly, great multitudes then flocking to him, and still continues to do the same. His present residence is within three miles of Dublin, at his brother's colonel Richard Talbot, who is now here soliciting your majesty as publick agent on the behalf of the Irish papists of that kingdom.”

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## Remedies against these growing mischiefs.

“ We the lords and commons assembled in this present parliament, do in all humility represent to your sacred majesty in these our petitions following :

“ 1. **T**HAT your majesty by your proclamation would be most graciously pleased to command, that all popish priests and jesuits do depart this realm, and all other your majesty's dominions, on or before a short day to be prefixed, at their perils ; except only such foreign priests as attend her majesty's person by the contract of marriage, and ambassadors according to the law of nations : and that all judges, &c. do cause the laws now in force against popish recusants convict, to be put in due execution : and in the first place, for the speedy convicting such popish recusants, that all judges and justices aforesaid do strictly give the said laws in charge unto the juries at all assizes and sessions, under the penalty of incurring your majesty's highest displeasure.

“ 2. That your majesty would be pleased to restrain and hinder the great concourse of your native subjects from hearing of mass, and other exercises of the Romish religion, in the houses of foreign ambassadors or agents, and in all other chapels and places of this kingdom.

“ 3. That your majesty would be pleased to take care, and cause, that no office or employment of publick authority, trust or command in civil or military affairs, be committed to, or continued in the hands of any person being a popish recusant, or justly reputed so to be.

“ 4. That your majesty would be pleased to take notice of all fraternities or convents of English, and other popish priests, jesuits or friars, and schools for the educating of youth in the principles of popery, erected within your majesty's dominions, and to cause the same to be abolished, and the said priests, jesuits, friars, and school-masters to be duly punished for such their insolences.

“ 5. That your majesty would be pleased, from time to time, to require and cause, that all the officers of, or relating to the exchequer, issue forth processes effectually against popish recusants convict certified thither. And that such officers as shall refuse or neglect to do their duty as aforesaid, be severely punished for such their failures.

“ 6. That

" 6. That your majesty would be pleased to give order, 1670-1.  
 " for apprehending and bringing over into England, one  
 " Plunket, who goes under the name of primate of Ireland,  
 " and one Peter Talbot, who takes on him the name of  
 " archbishop of Dublin, to answer such matters as shall be  
 " objected against them."

The king replied to this address, that he would do what <sup>The king's</sup> was desired, but supposed, no person would wonder, if <sup>answer.</sup> he made a difference between those papists, that had newly <sup>Richard,</sup> changed their religion, and those that were bred up in it, <sup>p. 267.</sup> and had faithfully served him and his father in the late wars. A few days after, the king published a proclamation, which <sup>March 23.</sup> ran much in the same stile with those that had been if- <sup>Kennet,</sup> fued on this occasion, and was no better observed. From <sup>p. 307.</sup> the beginning of the reign of James I. to the end of that of Charles II. the same method was constantly practised. Upon the instances of the parliament to prevent the growth of popery, these three kings had never scrupled to grant whatever was desired, and in consequence to publish proclamations; but there was a wide difference between the publication and the execution.

I shall observe here, that in the beginning of the civil <sup>A reflection.</sup> wars, Charles I. positively denied, he had any papists in his service. But Charles II. his son, in this forementioned answer, not only publicly owns it, but says also, that in consideration of the great services of the papists, to his father and himself in the civil wars, he is obliged to give them marks of his favour.

This affair being ended, the commons proceeded upon <sup>Money bills.</sup> the three money bills, and as if these had not been suffi- <sup>Echard,</sup> cient to supply the king's extreme wants, they afterwards ad- <sup>III. p. 267.</sup> ded a fourth, for impositions on foreign commodities. These bills being sent up to the lords, were debated in their house. On the second reading of the subsidy bill, the lord Lucas rose up, and in presence of the king, who was then in the house, (where he frequently came without any formality) made a speech, which was very disagreeable to his majesty. I do not think it necessary to insert the whole speech, but however, shall relate some passages, which will show what many thought, though few had the boldness of the lord Lucas to speak it publicly.

He first complained, " That whereas, upon the king's <sup>The lord</sup> restoration, it was the hopes of all good men, that the <sup>Lucas's</sup> nation would be freed from the burthens they had been <sup>warm speech</sup> so long oppressed with, these burthens were heavier than <sup>concerning</sup> subsidies. <sup>Feb. 22.</sup> <sup>" ever</sup> Id. p. 268.

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“ ever, whilst their strength was diminished, and they were  
 “ less able to support them, — that if the vast sums given  
 “ were all employed for the king and kingdom, it would  
 “ not so much trouble them : but they could not, without  
 “ infinite regret of heart, see so great a part of the money  
 “ pounded up in the purses of a few private men, who, in  
 “ the time of his majesty’s most happy restoration, were  
 “ worth very little or nothing, but were now purchasing  
 “ lands, and kept their coaches and six horses, their pages,  
 “ and their lacqueys ; while, in the mean time, those that  
 “ had faithfully served the king, were exposed to penury and  
 “ want, and had scarce sufficient left to buy them bread. —  
 “ But, supposing all the money given was employed for the  
 “ use of his majesty, and he was not cozened, as without  
 “ doubt he is, are there no bounds to, no moderation in,  
 “ giving ? Will it be said, that his majesty will not be able  
 “ to maintain the triple alliance, without a plentiful supply,  
 “ and we shall thereby run the hazard of being conquered :  
 “ this may be a reason for giving something, but it is so far  
 “ from being an argument for giving so much, that it may  
 “ be clearly made out, that it is the direct and ready  
 “ way to be conquered by a foreigner. And it may be the  
 “ policy of the French king, by his often alarms of armies  
 “ and fleets, to induce us to consume our treasure in vain  
 “ preparations against him ; and after he has by this means  
 “ made us poor and weak enough, he may then come  
 “ upon, and destroy us. It is not the giving a great deal,  
 “ but the well managing the money given, that must keep  
 “ us safe from our enemies. — Besides, what is this but  
 “ ne moriari mori, to die for fear of dying, and for fear  
 “ of being conquered by a foreigner, to put ourselves in a  
 “ condition almost as bad ? Nay, in some respect, a great  
 “ deal worse ; for when we are under the power of the vic-  
 “ tor, we know we can fall no lower, and the certainties  
 “ of our miseries are some sort of diminution of them : but  
 “ in this wild way, we have no certainty at all ; for if you  
 “ give thus much to day, you may give as much more to-  
 “ morrow, and never leave giving, till we have given all  
 “ that ever we have away. — It is therefore necessary to  
 “ be able to make some estimate of ourselves : would his  
 “ majesty be pleased to have a quarter of our estates ? For  
 “ my part he shall have it : would he be pleased to have  
 “ half ? For my part, upon good occasions he shall have it.  
 “ But then let us have some assurances of the quiet enjoy-  
 “ ment of the remainder, and know what we have to trust  
 “ to. —

“ to. — The commons have here sent up a bill for the giving his majesty the twentieth part of our estates, and I hear there are other bills also preparing, which together will amount to little less than three millions of money, a prodigious sum ! And such, that if your lordships afford no relief, we must sink under the weight of it. I hope, therefore, your lordships will set some bounds to the over-liberal humour of the commons. If you cannot deny or moderate a bill for money, all your great estates are wholly at their disposal, and you have nothing that you can properly call your own. — Upon the whole matter, I most humbly propose, that you would be pleased to reduce the twelve pence in the pound, to eight pence.”

This speech, afterwards printed and published, was so offensive to the king and his ministers, that it was ordered to be burnt by the common hangman. But however, it made some impression upon the lords, who sent the bill to the commons with amendments, that is, with some alterations. This occasioned a dispute between the two houses, the commons refusing to receive the amendments. But in a conference the difference was ended, by the acquiescence of the lords, to the reasons of the commons. The two first money bills, namely, the subsidy bill, and the additional tax upon beer, and other liquors, being ready, the king came to the house of lords the 6th of March, and passed these two acts, with another, “ for vesting the power of granting wine licences in his majesty’s heirs and successors, and for settling a revenue on his royal highness in lieu thereof,” which amounted to twenty four thousand pounds a year.

There still remained two other money bills, which had been sent to the lords, one for “ impositions on proceedings at law,” and another for “ an additional imposition upon several foreign commodities.” The first bill passed the house of lords without any difficulty. But the second occasioned a violent contest between the two houses. The London merchants having presented a petition to the lords, in which they showed the disproportion of the rates imposed upon

a They alledged in particular, that the distresses allowed and appointed in that bill, such as the breaking open of doors, were not agreeable to the ancient privileges of peers. Echard, tom. II. p. 270.

o There was also passed at the same time, among others, an act to prevent the malicious burning of houses, stacks of corn, and killing or maiming of cattle. Statute b.

1670-1. upon certain commodities, to be such as would utterly ruin the whole trade of these commodities, and bring an irreparable prejudice upon all the English plantations, and consequently upon the kingdom; thereupon the lords judged it necessary to make alterations in the bill, and lower some of the rates, and then returned the bill to the commons. The commons maintained, the lords had no right to make any amendments in bills of impositions and rates, and could only receive or reject them as they were sent, and the lords asserted the contrary. This dispute produced several conferences, in which the two houses mutually communicated their reasons, answers, and replies. It would be too long to enter into the discussion of this difference, which, besides, would hardly be intelligible to those who have not a thorough knowledge of the constitution of English parliaments. I shall only relate one circumstance, which may be understood by all, and wherein consisted the essential part of the dispute. The commons maintained, that by a fundamental right, it belonged to their house (in exclusion of the lords,) to impose rates upon merchandise. They meant by this fundamental right, a constant usage or custom, according to the principles of the parliament, in the time of Charles I. The lords, after the example of Charles I. demanded of the commons, where was the charter or contract to be found, by which the lords divested themselves of this right, and appropriated it to the commons with an exclusion to themselves? To this the commons replied by another question, where was the record by which the commons submitted, that this judicature should be appropriated to the lords in exclusion of themselves? Wherever their lordships should find the last record, they would show the first endorsed upon the back of the same roll. In short, the king perceiving the contest daily increased, came to the house of peers, and after the royal assent given to an act for impositions on proceedings at law, and some others, he prorogued the parliament to the 16th of April, 1671. and afterwards by several prorogations to the 4th of February 1672-3. So that this prorogation continued a year and nine months.

A long prorogation of the parliament. April 22. Echard.

Reflections upon the liberality of the commons.

Probably, every reader will be surprized at the extreme liberality of the commons to the king, and especially in this session. As to the former supplies, it may be said, they had some foundation true or false. But for the present supply, which was greater than any before, it was founded upon a contingency which had not even the least appearance. For it was upon a supposition, that France and the states general,

ral, who were making great preparations, might invade England, if they found her unarmed, though she was in peace with France, and in strict alliance with Holland. Besides, the states had hitherto made no extraordinary preparations, because they did not yet suspect, they should be attacked. And as to France, the king knew, he had nothing to fear from that quarter. Nevertheless, upon the king's bare proposition, supported by no probability, a sum of two millions and a half was granted him, which some even compute at three millions. Nothing is more proper to render probable what is asserted by many authors, that scarce a member, however inconsiderable, was without a pension from the king according to his credit in the house, and that these pensions were increased in proportion to the sums granted to the king. Thus much is certain, that afterwards upon an enquiry, some were found guilty of this collusion.

Before I proceed, it must not be forgot to speak of the death of Anne Hyde duchess of York, daughter to the earl of Clarendon, the late chancellor. She died the 31st of March in the 34th year of her age, after an abjuration of the protestant religion during her long indisposition<sup>2</sup>. From her marriage proceeded eight children, two of which only survived her, Mary and Anne, who were both queens of England. The rest all died young<sup>3</sup>.

The duke of York was a papist before the king's restoration, but I can't find at what time he changed his religion. It was a secret for some time, but had now been so divulged, that it was openly talked of in the court and country. At last, soon after the death of his duchess he made a formal abjuration of the protestant religion before father Simons an English jesuit, and from that time openly declared himself a papist. His inducement, as it is said, to make publick profession of this religion, was this: The king had, for some years, even before Clarendon's disgrace, entertained a secret design of divorcing his queen, whom he had never loved. He had communicated this design to some of his

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## Z

## confi-

p Some imagined, That that unhappy princess had been prevailed upon, against her conscience, to sign a paper, containing the grounds of her conversion, which she attributed chiefly to the reading of dr. Heylin's history of the reformation. Her father, when he heard of her wavering in her religion, was more troubled at it, than at all his own misfortunes. He writ her a very grave and long letter upon it, inclosed in one to the duke, which see in the life of king James. Supple-

ment, p. 5, &c.—Burnet, p. 309. Echard, p. 277.

q Their names were, Charles, born October 22. 1660. Mary, April 30. 1662. James, July 12. 1663. Anne, February 6. 1664. Charles, July 4. 1666. Edgar, September 14. 1667. Henrietta, January 13. 1668. And Catharine, February 9. 1670. Charles, James, Charles, and Henrietta, died before their mother, and Edgar and Catharine shortly after. Sandford, p. 677.

Death of the duchess of York. Sandfo 4, p. 677. Echard. J. Phillips. Burnet.

The duke of York formally abjures the protestant religion. Echard, III. p. 277.

Ibid.

1671.

confidents, but it was always opposed by the earl of Clarendon, whether from the injustice of the thing, or for the sake of his daughter the duchess of York, and her posterity. After the removal of that minister, the king finding himself more free, persisted in his design, which, as it is affirmed, was encouraged by the papists, and approved by the court of Rome. One pretence for the divorce, was, that the queen had been pre-engaged to another, who however was not named. It was also pretended, she was incapable of having children, though she had twice miscarried. But as these facts are very difficult to be proved, the king was assisted to find a more plausible pretence; which was to lay snares to betray the queen into such freedoms, as might be the ground of an accusation of adultery. But the king could not resolve to use a method so unjust, and dishonourable. Nevertheless the divorce was resolved, and as a pretence only was wanting, an effectual one would certainly have been found. The priests and jesuits who were continually about the duke of York, had long pressed him to make open profession of the Roman catholic religion, but had not yet been able to succeed, because the duke saw, it would make him forfeit the affection of most of the English. At last, upon the duke of York's refusal they strenuously laboured the affair of the divorce, and caused, as it is said, the pope to promise his consent. When the business was thus far advanced, they intimated to the duke of York, that they were able either to effect or hinder the king's divorce, and would undertake the latter, if he would make open profession of the catholic religion. This, as it is pretended, engaged him to declare himself a papist, being apprehensive, that if the king should be divorced from his queen, he would marry again, and have legitimate children. I relate these particulars as I found them in the histories and memoirs of those times, but I must warn the reader, that the authors of them alledge no other proof than their own testimony.

and makes  
an open  
profession of  
the popish.

Projects of  
the cabal.  
Echard,  
III. p. 278.

After the prorogation of the parliament, the cabal fought, with all possible ardour, means to execute their projects. These were, first, to render the king absolute, or in their language,

r Others were set on to deal with her confessor, that he might persuade her to leave the world, and to turn religious. Burnet, p. 263.

s Burnet says, the duke of Buckingham offered, that if the king would give him leave, he would steal the queen away, and send her to a planta-

tion, where she should be well looked after. But the king himself rejected this proposal with horror. He said, it was a wicked thing to make a poor lady miserable, only because she was his wife, and had no children by him which was no fault of hers. p. 260 263.

language, a great prince: and under this article was com-  
 prized, the establishment of popery, if not the entire de-  
 struction of the protestant religion. For there is no visible  
 medium between these two things. I have already given  
 the reason why the article of religion is omitted by the king's  
 adherents. The second project was to break the triple alli-  
 ance. The third, to make war upon Holland, though it  
 was difficult to invent any the least plausible pretence. To  
 execute the two last, mr. Henry Coventry, who had been  
 plenipotentiary at the treaty of Breda, was sent to Sweden,  
 and sir George Downing to the Hague. Temple, as I have  
 said, was recalled, but to amuse the states, the king feigned  
 to send for Temple only to be informed of some matters,  
 and that he should immediately return. He was however  
 still in London, and though the king had no design to send  
 him back to Holland, yet to take away all suspicion from the  
 Dutch of his intention to break with them, he had hitherto  
 refused his permission to sir William to send for his wife and  
 family. At last, he was openly recalled, and obtained leave July  
 for his wife and children to come over, who were still at the  
 Hague. The recalling of Temple, and sending of Downing  
 in his place sufficiently discovered the king's intentions.  
 Temple was extremely beloved in Holland, as he had al-  
 ways behaved with integrity and a concern for the common  
 interests of both nations. The other had served for instru-  
 ment to engage the king and the states in the late war, and  
 was looked upon in Holland as a man of no honour, and a  
 real incendiary. So that when the states heard, he was com-  
 ing in the room of Temple, they no longer doubted of a  
 rupture with England. Mean while Downing being arrived  
 at the Hague, was not wanting in protestations, that the  
 king his master was resolved to maintain the triple alliance,  
 and if he was equipping a fleet, it was wholly owing to the  
 great preparations of his neighbours, and particularly the  
 king of France, of whom he had just cause to be jealous.  
 But withal, he failed not to complain of the obstinacy of the  
 Dutch, upon an affair of little importance, concerning the  
 colony of Surinam: adding some complaints of the English  
 merchants against the Dutch East India company. These  
 were the two articles on which the king intended to found  
 a rupture, but as he did not think them of sufficient weight,  
 he

1671.

The king  
 endeavours  
 to amuse the  
 states gene-  
 ral.

Temple's  
 letters,  
 p. 242.

Bainage.

Z 2

t Mr. de Witt told Sir William's  
 secretary, That he should take sir  
 William's stay or coming back for  
 certain signs of what the king's inten-

tions were, towards the preserving or  
 changing the measures he had taken  
 with the states. Temple's lett. p. 242.

1671. he projected to draw the states into a sort of insult upon him, which might give him a more plausible pretence for a war.

A yacht belonging to the king fires at the Dutch, to engage them so strike the flag.  
Temple's letters, p. 242, 249.

To this end, the king having granted sir William Temple a yacht to bring over his lady, the admiralty gave express orders to the captain to go in quest of the Dutch fleet, then at sea, and, if they refused to strike, to fire upon them. The captain met with them as he was returning with the ambassadress and her children. When he saw, the fleet paid no regard to the king's yacht, he fired several shots at them. Mr. de Ghent, who commanded the fleet, surprized at this insult, sent a boat to the yacht to know the meaning of it. The captain only answered, he had his instructions, and was bound to follow them. Upon this mr. de Ghent went to the yacht on pretence of paying a compliment to the ambassadress, which being performed, he talked with the captain, and was answered as before. The admiral replied, he had no orders from his masters in that point, and did not know how the affair was agreed between his majesty and the states; but though it were settled, the captain could not pretend the fleet should not strike to a yacht, which was but a pleasure boat, and could not pass for a man of war. The captain still persisted in saying, he only followed his orders. However, the fleet did not fire a single shot at the yacht, and the captain pursued his course, pleased that he had come off so well.

The king receives money from the king of France.  
Primi.  
State tracts in king William, t. I.  
An Installation at Windsor.  
Echard.

Besides the two millions and a half granted to the king by the parliament, the king of France, if abbot Primi is to be credited, sent him also a very considerable sum to enable him to equip a fleet much superior to that of the states<sup>a</sup>. So the king thought only of war, though with all possible artifice he endeavoured to remove all suspicion of his having any such design. He spent the whole summer, and part of the autumn in progress through several parts of his kingdom. The 28th of May he celebrated the feast of St. George in a very solemn manner at Windsor, and installed in the order of the garter, the king of Sweden and the elector of Saxony, by their proxies, and after them the young duke of Albemarle. He also made a visit to the university of Cambridge, where he was magnificently entertained, and to several other places, which it is needless to mention. After his

<sup>a</sup> He was promised six millions of livres, besides three hundred thousand crowns a month, or three hundred and fifty thousand pounds sterling a

year, during the war. Life of de Wit, tom. II. p. 344. Burnet, p. 304.

his return, both their majesties were invited to the lord mayor's feast, on the 30th of October, where no cost was spared to display the grandeur and riches of the city of London.

Before I proceed to the transactions of the next year, I think myself obliged to take notice of an attempt, the most extraordinary that can possibly be devised by a private man. mean that of Blood, a famous villain, robber, and assassin, who formed the design of stealing the crown, scepter, and globe, which are kept in the Tower. With the assistance only of two or three more, he executed this design so dexterously and happily, that they were got out of the Tower with their booty, before they were seized. To give some account of Blood, I shall briefly say here, that the duke of Ormond, when he was lord lieutenant of Ireland, having caused some of Blood's accomplices to be hanged, who intended to surprize the castle of Dublin, Blood swore, he would revenge their deaths. For this purpose, Blood followed the duke of Ormond into England, when he was recalled, and watched him so well, that with the assistance of seven or eight persons on horseback, he stopped his coach in the night, as he was going to Clarendon house, where he lived, knocked down his footmen<sup>w</sup>, and forced the duke up behind one of the horsemen, in order to carry him to Tyburn, and hang him there, with a paper pinned on his breast, to show the cause of this execution. But the duke forcibly throwing himself off the horse, with the villain who had tied the duke fast to him, defeated the design, and the authors could never be discovered till after Blood's attempt upon the crown. This attempt was very extraordinary, but the king's conduct on the occasion was still more surprizing. For having a curiosity to examine Blood himself, he ordered him to be brought to Whitehall, and put several questions to him, which the villain answered with astonishing boldness, confessing all, and unconcernedly relating the circumstances of the thing. Then the king asked him, whether he knew the authors of the attempt upon the duke of Ormond? Blood confessed, it was himself. Not content with this, he told the king, he had been engaged in a design to kill him with a carbine, from out the reeds by the Thames side above Battersea, where he often went to swim. But that when he had taken his stand in the reeds for that purpose, his heart was checked with an awe of majesty, and did not only relent

Z 3

himself,

<sup>w</sup> Rapin, by mistake says, he killed the coachman and footmen.

1671. himself, but diverted his associates from the design. He also told the king, he was prepared to suffer death, as having deserved it; but must tell his majesty, that he had hundreds of accomplices, who had bound themselves by a horrible oath, to revenge the death of any of the fraternity, upon those who should bring them to justice; which would expose his majesty and all his ministers, to the daily fear and expectation of a massacre. But, on the contrary, if he spared the lives of a few persons, his own would be secure. The king was surprised, and probably, intimidated by Blood's discourse, and thought, doubtless, the attempt of this villain on the duke of Ormond, to revenge the death of his accomplices, might be imitated, in revenge of his death, by his surviving comrades. However this be, the king sent the earl of Arlington to the duke of Ormond, to desire him not to prosecute Blood, which the duke could not refuse<sup>x</sup>. Afterwards, he gave him his pardon, and not content with saving his life, conferred on him five hundred pounds a year in land in Ireland. From that time, Blood was continually at court, and the king treated him with that freedom and familiarity, that many persons applied to him for favours from the king. This gave occasion to the king's enemies to say, that he kept the villain about him, to intimidate those who should dare to offend him in things which were not punishable by law, as had been practised in the case of sir John Coventry, for some raileries upon him in the house of commons. As for Edwards, the keeper of the crown, a man fourscore years old, who had done his utmost, though in vain, to hinder the theft, and had received so many wounds that he was left for dead, the king contented himself with assigning him a reward of two hundred pounds, the payment of which was so long delayed, that the poor man died before he received it<sup>y</sup>.

and pardoned.

In

<sup>x</sup> The duke answered, "That the king should see, he valued his life as little, as his majesty did his crown." Echard, tom. III. p. 286.

<sup>y</sup> Edwards had a grant of two hundred pounds for himself, and one hundred for his son. Both, by the delays of payment, were obliged to sell their orders for half the money, and the old man lived not long to enjoy the remainder. The manner of Blood's stealing the crown was thus; he goes to the Tower in a clergyman's habit,

with a woman whom he called his wife, and who, he pretended, wanted to see the crown; and having seen it, she feigned to be taken with a qualm, and desired mr. Edwards, the keeper of the crown to send for some spirits, who immediately caused his wife to fetch some, of which she drank, and being invited to repose herself on a bed, she did so, and soon recovered. At their departure, they were very thankful for this civility. Three days after, Blood comes with a present of gloves from

In the course of this year died two famous generals, distinguished by their bravery and experience in the civil wars. 1671.

The first was the lord Fairfax, the generalissimo, and the other Edward Montague earl of Manchester. I shall say no more of them, because they have been sufficiently described in the reign of Charles I. I shall only add, that both were very serviceable in the king's restoration.<sup>2</sup>

The league against Holland, much like that of Cambray against the commonwealth of Venice, was still kept so secret, that the states could only suspect it, without any certainty. The design of the allies was to begin with the ruin of the Dutch, before declaration of war, and then to attack them all together, at the same time and in different places. The king of France, the elector of Cologne, and the bishop of Munster, were to invade them by land, and the English and French fleets jointly to attack them by sea. This was the project, but it met with an unforeseen difficulty. Though Charles had received two millions five hundred thousand pounds from the parliament, and seven hundred thousand pounds from the king of France, he was still in want. Indeed, he had applied part of the money received to the equipment of his fleet, which could not amount to half, and it was difficult to conceive what became of the rest. However this be, he signified to his ministers, that he could not begin the war without fifteen hundred thousand pounds, and as he could not apply to the parliament, which

Death of the lord Fairfax and earl of Manchester. Echard.

Designs against the Dutch. Basinge.

Echard, p. 238.

The king indigent.

Echard, III. p. 288.

Z 4

was

from his wife, and having thus begun an acquaintance, he improves it by frequent visits. At last, he tells mr. Edwards, that he had a mind to make a match between a nephew of his, and mr. Edwards's daughter, which nephew, he said, had three hundred pounds a year. Accordingly, a day was appointed for the young couple to see one another. Blood comes with three more, armed with rapier blades in their canes, and every one a dagger, and a pair of pocket pistols. One of the fellows stays at the door, and the others go in. Blood told mr. Edwards, he would not go up stairs till his wife came down, and desired him, in the mean time, to shew his friends the crown, to pass away the time. As soon as they were in the room, and the door shut as usual, they immediately gagged the old man, and knocked him down for endeavouring to make a

noise. One of the companions put the globe in his breeches, Blood kept the crown under his gown, and a third was filing the scepter (being too long to manage) when their companion without gave them notice, that young mr. Edwards was just come home, and gone up stairs; upon which they all made off with the crown and globe. But old Edwards getting up and making a noise, they were pursued and taken, as they were making to their horses, which waited at the Iron Gate in St. Catherine's. Blood, though he saw himself a prisoner, had the impudence to struggle for the crown. Strype's Contin. of Stow's Survey, tom. I. p. 92. Echard.

2 This year also died William Seymour duke of Somerset; and the famous critic, Meric Casaubon, prebend of Canterbury.

1671. *was* prorogued, he promised the treasurer's staff, to the person who should invent the means of raising that sum. Sir Thomas Clifford proved the most happy and ingenious. He went to the king, and told him, that by shutting up the exchequer he would be sure of that sum. The king readily understood the advice, and resolving to follow it, performed his promise, and made Clifford lord treasurer. Some however ascribe this project to the lord Shaftsbury, and say, that Clifford having artfully drawn it from him, gloried in it to the king. \*

The meaning of that project.

To understand this project (which though plain to English readers, is not so to foreigners) it is to be observed, that at the exchequer are received, by direction from the lord treasurer, all the sums destined to publick uses, and the interests of the money borrowed upon parliamentary funds, which commonly cannot be raised under several months, or even years. So, when the king has a mind to have all at once the money that has been granted him, he borrows it of private persons at a large interest, and assigns them payment upon the exchequer, which applies to this use the money, raised from the granted funds, as it comes in. Moreover, at the time I am speaking of, all the monied men in London, not to keep large sums in their houses, put their money into the hands of bankers and goldsmiths, without interest. And when they wanted any part, they drew upon their goldsmiths or banker's, who immediately paid it. Now, as it was morally impossible, that all the private persons who had money at a bankers, should want it all at once, those who had the money in their hands kept only a sum sufficient to answer the usual demands, and lent the rest to the king at a large interest, upon the parliamentary funds. So, in shutting

a The substance of the story, as it is told by Mr. Echard, from a manuscript of Sir Joseph Tyley's, is this:—The king, under present necessities, promised the white staff to any one of his ministers, who could put him in a way to raise fifteen hundred thousand pounds, without applying to his parliament. The next day lord Ashley told Sir Thomas Clifford, that there was a way to do this; but that it was dangerous, and might in its consequences inflame both parliament and people. Sir Thomas, impatient to know the secret, plied the lord Ashley with visits, and having drunk him to a proper height, led him insensibly to the subject of the king's indigence;

lord Ashley, warm and unguarded, dropt the important secret of shutting up the exchequer. Sir Thomas took the hint, left Ashley as soon as he could, went the same night to Whitehall, and attending till the king rose, demanded the white staff. The king renewed his promise, if the money could be found, and then Sir Thomas disclosed the secret. The project was put in execution, and Clifford advanced to be treasurer, and created a peer. Ashley was touched, and said, That Clifford had ploughed with his heifer. However, to satisfy him, he was first made earl of Shaftsbury, and four years after lord chancellor of England. Tom. III. p. 288.

king up the exchequer, he received all the money which came into it<sup>b</sup>, without paying any thing of what he owed. 1671.

But at the same time, the persons who had put their money into the hands of the bankers and goldsmiths, were entirely ruined, since it was not in their power to dispose of their capital; especially, as the bankers refused even to pay the notes drawn daily upon them, on pretence, that they received nothing from the exchequer. This caused an extreme consternation in London, but the king and his ministers pursued their measures, and, deaf to the complaints of so many ruined families, kept the exchequer shut up one year, and, at the expiration of that term, it continued shut up by a new order, some months longer. But the whole misfortune did not consist in twelve or eighteen months expectation. It is easy to imagine, the king having received all the money which came into the exchequer during that time, the sums which were brought in, when it was opened, were not sufficient to discharge the arrears of these eighteen months. This is the true state of the affair, which caused the English to exclaim so loudly against the king and the cabal. But the hopes the cabal then had to render the king absolute, made them very easy under the complaints and reproaches of the people.

But Charles had in his thoughts a project which would furnish him with still more considerable sums. This was to surprise the Dutch fleet returning from Smyrna richly laden<sup>c</sup>, before any declaration of war. He had practised the same thing the last year, with regard to the Bourdeaux fleet, and received a great advantage from it. This fleet being much richer, inspired him with great expectations. To this end he put to sea thirty six men of war<sup>d</sup> under the command of Holms, who had orders to cruise in the channel, and intercept this fleet. Holms being informed that the Dutch fleet approached, divided his own into three squadrons. That of Holland consisted of seventy two sail of merchant ships, many of which had no guns, under the convoy of five men of war, commanded by experienced officers. These drew up the merchantmen in three squadrons, in good order, and put themselves between them and the English fleet, after having enjoined them to pursue their course without breaking their line. Holms attacked this fleet the 13th of March, 1671-2.

<sup>b</sup> The bankers, who had formerly furnished the king with large sums of money, at the excessive interest of eight per cent. had lodged in the exchequer between thirteen and fourteen hundred thousand pounds. R. Coke, p. 168. Burnet, p. 306.

<sup>c</sup> It was reckoned worth a million and a half. Burnet, p. 307.

<sup>d</sup> This fleet consisted but of nine frigates, and three yachts; but the next day there came a reinforcement of four or five men of war. See Echard, tom. III. p. 291. Bagnage, t. II. p. 192.

1671-2. March 2. and fought the whole day without gaining the least advantage. The next day at nine in the morning the fight was renewed, and lasted all the day, though on the side of the Dutch, captain de Haes, who acted as admiral, had been killed about noon. On the side of the English, the vice admiral's ship was disabled. On the morrow, at eight in the morning, Holms, who had been reinforced by some frigates, renewed the engagement, and at last took one man of war, the captain and most of the sailors being slain, and three merchant ships which were brought into the Thames. This was all the advantage the English received from an action, which highly reflected on the king. It was carefully published at London, that this engagement was but an effect of chance, because the Dutch refused to strike. Though every one openly spoke against so dishonourable an action, the king was not affected with the sentiments of the vulgar, and instead of repairing the injury done to the states, in seizing their ships before the war was declared, sent out a squadron to meet four Dutch Indiamen, which were immediately taken and condemned. At the same time, he ordered all the Dutch ships in his ports to be seized, though, by an express article of the treaty of Breda, no merchant ships were to be taken till six months after a declaration of war. The states, seduced by so ill an example, seized also the English ships. But, upon the strong representation of some of the deputies, how much the honour of princes and states was wounded by these depredations, and that the king of England's acting against the faith of treaties, was not a sufficient reason to engage the states to imitate so blameable a conduct, the English ships were discharged and sent into England. The king could not then help releasing some of the Dutch ships, but did not restore all.

But without  
success.  
Salvage.

Kennet,  
p. 310.  
Burnet.  
Four India  
men taken.  
Salvage.

1672. One of the branches of the project formed by the cabal was, as I said, to render the king absolute<sup>e</sup>, and under this branch

e But before that, he endeavoured to decoy, by stratagem, into his own ship, the Dutch admiral, the vice admiral, &c. See Primi in state tracts, tom. I. p. 17.

f Our historians say five. See Kennet, p. 310.

g The lord Clifford told a person of quality in private discourse, that the king, if he would be firm to himself, might settle what religion he pleased, and carry the government to what height he would: For if men were assured in the liberty of their consciences,

and undisturbed in their properties, able and upright judges made in Westminsterhall; and if, on the other hand, the fort of Tilbury was finished to bridle the city, the fort of Plymouth to secure the west, and arms for twenty thousand men in each of these, and in Hull for the northern parts, with some addition (which might be easily and undiscernably made to the forces on foot) there were none who would have either will, opportunity, or power to resist. Kennet, p. 312. note.

branch was comprised the extirpation of the protestant, or at least the introduction of the popish religion; though father Orleans, and the writers on the king's side, when speaking of this project, say nothing of this article. Father Orleans, however, could not forbear owning it in the course of his history. I shall transcribe a passage from him, which, tho' extremely softened with respect to the end, clearly shows, it was one of the branches of the project. After speaking of what had passed concerning the papists, and other nonconformists, he adds, "The king, who was no good christian in his actions, though a catholick in his heart, did all that could be expected from his indolent temper, to preserve the common liberty, that the catholicks might partake of it. But the church of England prevailed, and chancellor Hyde was so warm upon this occasion, that the king was obliged to yield rather to his importunities than his reasons. It was therefore the re-establishment of this liberty of conscience, that the lord Ashley believed necessary to the execution of the projected design. He communicated his thoughts to his colleagues of the cabal, who were of the same opinion, not only on account of the reason he alledged, which was, the gaining of the nonconformists who were justly feared, but also upon another, which he readily approved, namely, the favouring of the catholicks whom most of them loved, and the rest esteemed. Arlington and Clifford were secretly catholicks, and both died in the communion of the church. Buckingham had no occasion to be converted, could he only have prevailed with himself as to libertinism. Ashley was not averse to the catholick religion, till interest and malice threw him into the contrary party. It will easily be conceived, that the king readily consented to it, since he was a catholick, and continued so to his death, though policy caused him to pretend the contrary. As for the duke of York, he supported the design with all his power. All the difficulty lay in the extent of this liberty, and the two kings of France and England, acting in concert, debated the affair in the negotiation of their treaty. Several proposals were made, some more, some less, advantageous to the catholicks. France was for the most moderate, safest, and most seasonable methods. At last, it was agreed, that Charles should grant liberty of conscience to all his subjects in general."

An extract  
from the  
history of  
father  
Orleans.

It appears from hence, that religion was concerned in the projects of the cabal. But probably, some were for having

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the progress of the popish religion subservient to render the king absolute, and others were for rendering the king absolute to favour the progress of popery. Wherefore, these two articles were never separated, nor indeed could be, since they entirely depended on each other. The king plainly showed it, when he published his declaration for liberty of conscience, since he could not grant this liberty without assuming a power to abrogate acts of parliament, or at least suspend the execution thereof so long as he pleased. The declaration, dated the 15th of March 1672, consisted of various articles, of which I shall here give the substance :

Declaration

for liberty of

conscience.

Kennet,

p. 113.

Echard,

t. III. p. 298.

Burnet,

p. 307.

J. Phillips.

1. His majesty publishes it, "in virtue of his supreme power in ecclesiastical matters," which is a right inherent in his person, and declared to be so by several acts of parliament.

2. He declares his express resolution to be, that the church of England be preserved and remain entire in her doctrine, discipline and government, as now it stands established by law.

3. That no person shall be capable of holding any ecclesiastical benefice or preferment of any kind, who is not exactly conformable.

4. That the execution of all penal laws in matters ecclesiastical against whatsoever sort of nonconformists or recusants, be immediately suspended.

5. He declares, that he will from time to time allow a sufficient number of places, as shall be desired, in all parts of his kingdom, for the use of such as do not conform to the church of England, to meet and assemble in, in order to their publick worship and devotion.

6. That none of his subjects do presume to meet in any place, until such place be allowed, and the teacher of that congregation be approved by him.

7. He declares, that this indulgence, as to the allowance of publick places of worship, and approbation of teachers, shall extend to all sorts of nonconformists and recusants, except the recusants of the Roman catholick religion, to whom he will no ways allow publick places of worship, but only indulge them their share in the common exemption from the executing the penal laws, and the exercise of their worship in their private houses only<sup>b</sup>.

Two

<sup>b</sup> The presbyterians went in a body, and dr. Manten, in their name, thanked the king for this declaration.

Most of them had yearly pensions of fifty pounds, and the chief of them of a hundred pounds. Burnet, p. 308.

Two days after, the king published his declaration of war against the states, dated the 17th of March<sup>1</sup>. This declaration, as that of the former war, was founded upon generals, and affected pretences. This is always the case when war is first resolved, and reasons or pretences are afterwards sought. "The king historically introduced his just reasons to begin the first war upon the states, though it was ended by the treaty of Breda. He added, that peace was no sooner concluded than violated by the states, in not sending commissioners to London to settle the trade of the two nations in the East Indies: and when he sent over his ambassador to put them in mind of it, he could not in three years get any satisfaction from them in the material points, nor a forbearance of the wrongs which his subjects received in those parts."

War declared against the Dutch.  
Richard, III. p. 294.  
Kennet, p. 310.  
Burnet.  
Phillips.  
R. Coke.

It is easy to see to what great discussions these generals are liable.

"2. He said, that having restored Surinam to them, they were obliged by the treaty of Breda to permit the English in that colony to remove with their effects, but that this permission was refused."

The Dutch maintained on the contrary, that the English inhabitants of Surinam remained there upon their own choice.

"3. He complained of abusive pictures and medals dispersed over Holland, reflecting on his honour."

The states said, they knew but of one abusive medal, the stamp of which they had ordered to be broke.

"4. He complained, that in Holland his right of the flag had been represented as ridiculous"

It is easy to perceive, whether his pretension concerning the yacht which brought over the lady Temple was just or not.

This was the substance of what was most plausibly alleged for undertaking the war. He ended with this declaration.—"And whereas we are engaged by a treaty to support the peace made at Aix la Chapelle, we do finally declare, that notwithstanding the prosecution of this war, we will maintain the true intent and scope of the said treaty;

<sup>1</sup> To furnish the government with some fair pretensions. at least for this war, the committee for the East India company was summoned to shew, whether the Dutch had not broke in upon their trade, for which publick

satisfaction ought to be demanded? They answered, and gave it under their hands, That since the treaty at Breda, the Dutch had sufficiently observed the articles of trade. Kennet, p. 310.

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"treaty; and that in all the alliances which we have or shall make in the progress of this war, we have and will take care, to preserve the ends thereof inviolable, unless provoked to the contrary." He took but little care of his honour, in pretending to show, that his design in breaking with the states and uniting with France, was, to maintain the treaty of Aix la Chapelle. But there was nothing so absurd which the cabal did not think they could impose on the publick, wherein they were much mistaken, as will appear in the sequel.

This war was so contrary to the interests of England and all Europe, the defence of which Charles had so often boasted to undertake by means of the triple league; it was so directly opposite to justice, equity, faith, and the religion of the English, publickly professed by the king, that no man could believe it till the blow was struck. The Hollanders imagined, he only intended to exact some money from them, or at most, to intimidate them in order to oblige them to restore the prince of Orange his nephew to the posts enjoyed by his ancestors. France herself could hardly believe, but that he intended to deceive her, till he had fallen upon the Smyrna fleet. But all were mistaken in ascribing to the king any affection for his people. His sole aim was to render himself absolute, in order to enjoy all the riches of England without controul, and without any obligations to his parliament. The duke of York, his presumptive heir, found his account in so fine a scheme and, besides, thought of establishing his religion for which he was excessively zealous. As for the cabal, they were men entirely destitute of all principles of honour, justice, or religion, each of whom was solely intent upon making his fortune by sacrificing the interest of the publick. For it cannot be thought, that persons of their abilities could be ignorant, that what they were acting was directly contrary to the interests of England. They did not believe, they could execute their grand project without a strict alliance with the king of France, who artfully persuaded them, that after the republick of Holland should be destroyed, the two crowns would jointly labour to render the king absolute in England, and establish the catholick religion. But they had too much cause afterwards to see that they were deceived by France. Indeed it was not Lewis's interest to render the king of England absolute in his dominions, but rather to sow and cherish division between the king and his subjects, in which, by seeming to enter into the views of the cabal, he was but too successful. But there occurred

occurred in the execution of the project an obstacle, which the secret counsellors should have foreseen, and perhaps did foresee without being able to help it. This was the king's immense profuseness, which was the reason that all the sums received from France and the parliament were insufficient to support the war two years, so that he was obliged to have recourse to the parliament, who at last broke measures so well concerted. On the other hand, this project alarming all Europe, the states found protectors, who rendered the execution very difficult.

The same day that the declaration of war against the states was published at London, the like was published at Paris, founded upon no juster grounds. For the king of France gave no other reason of the war than his displeasure at the conduct of the states. This union between France and England (which then appeared openly, whatever care had been hitherto taken to conceal it) showed the ridiculousness of what the king ordered the lord keeper to tell the parliament, "That common prudence required, that his majesty should make suitable preparations, when France had such forces both at land and sea." It appeared by this, that the king scrupled not to tell his parliament the contrary of what he thought, which could not but make him lose the confidence of his people, as it happened accordingly.

About a month after, the bishop of Munster also proclaimed war against the Dutch, on pretence, that they had endeavoured to corrupt the governors of his frontier places. As for the elector of Cologne, he had already introduced French troops into his dominions, to provide, as he pretended, for his security. But though he protested an intention to observe an exact neutrality, the states were perfectly informed of his treaty with France. Thus these four princes were united for the utter destruction of the republick of the United Provinces, without mentioning several princes of Germany engaged by the king of France to stand neutral, that they might not assist Holland.

The states having some time foreseen the impending storm, had endeavoured to divert it, by giving the king of England all the satisfaction he could reasonably expect. They had offered to agree to whatever he desired concerning the flag, and besides, they had on the 24th of February made the prince of Orange captain general, and admiral, though he was then but twenty two years of age. They believed, this would suffice to content the king his uncle, for they

The French king declares war against Holland. March 28. Bassage, Kennet, p. 313. Echard. R. Coke.

Offers made by the states to pacify the king. Bassage. Echard. Barnet. The prince of Orange made captain general and admiral. Were Bassage.

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were yet ignorant that his design was to overturn their republick, without any regard to the interests of the prince of Orange. This change in favour of the young prince, would, perhaps, have never been made, had it not been deemed necessary to appease the king of England. There were three parties in Holland: that of the pensionary, (which was the more powerful, and called the Louvestein party, from the name of the castle where the prince's father had confined the leading men of this faction,) that of the prince of Orange; and a third which affected a neutrality, and had hitherto joined with neither of the two first, but on this occasion believed it necessary to join with the second, in hopes of satisfying the king of England. The states therefore sent a deputation to the prince, to offer him the dignities of captain general, and admiral, and the pensionary de Wit, to his mortification, was appointed head of the deputation. Thus the prince of Orange saw himself captain general, but without an army, or at least, with an army so inconsiderable, and filled for the most part with unexperienced officers, chosen more for their attachment to the pensionary, than their personal merit.

Progress and  
conquests of  
the king of  
France.  
Primi.  
Balsage.  
Echard.  
Burnet.

I shall not relate the progress of the king of France, and his two allies, the bishop of Munster, and the elector of Cologne, in the first campaign. This is so well known, that it would be lost time to recite it. Let it suffice to observe, that the king of France took the field the beginning of May; made himself master of several places on the Rhine, without almost any opposition; and swimming that river, subdued all Guelderland with the towns upon the Yssel, and at last arrived at Utrecht, which had sent deputies to Doetsburgh to offer their submission to his orders. At the same time, the bishop of Munster, after ravaging the province of Overijssel, invaded Friesland and Groninghen, so that only Holland and Zealand remained free, of which the former was threatened with a like invasion.

Of the bi-  
shop of  
Munster.  
Primi.

Balsage.  
Kannet,  
p. 314.  
Echard,  
III. p. 299.

But this was not all the states had to fear. Whilst three of their provinces were lost, and two others attacked, the danger from sea was no less. The two fleets of France and England joined the beginning of May; the first consisting of forty, and the last of a hundred, men of war. That of the states had seventy two large ships, and forty frigates and fire-ships, and consequently was very inferior in number to the combined fleet of England and France<sup>k</sup>. It was command-  
ed

<sup>k</sup> Balsage says, it consisted, in all of a hundred and fifty eight ships, tom. II. p. 206.

ed by the famous Ruyter, assisted by Cornelius de Wit, the pensionary's brother, as deputy from the states. Ruyter having put to sea before the enemy's fleets were joined, had endeavoured to prevent the junction. But not succeeding, and being informed, that the two fleets lay at anchor in Solbay in Suffolk, he resolved to attack them. He had like to have surprized them, but being disappointed, prepared for battle. The two fleets of France and England (now composing but one) were ranged in three squadrons. The duke of York, high admiral of England, commanded the red squadron; the count d'Etrees, the white; and the earl of Sandwich, the blue. The fleet of the states was likewise divided in the same manner; Ruyter was opposed to the duke of York, Bankert to count d'Etrees, and Van Ghent, to the earl of Sandwich. All I can gather from the various descriptions of this battle, fought the 28th of May, is, that both sides displayed all the art and skill which experience had taught the commanders and officers, that they fought with equal bravery, with almost equal loss, and both sides challenged the victory. The admiral ship of the English being disabled, the duke of York was obliged to hoist his flag in the London. The Royal James, commanded by the earl of Sandwich, not being able to disengage from a fireship, after she had sunk two, was blown up with the earl and her whole crew<sup>1</sup>. The English lost two ships more, the Hollanders three, and Van Ghent was killed. The historians of the two parties equally pretend, that their fleet chased that of the enemies; but both speak of it very faintly. For, it is not entirely the same with engagements at sea, as with those at land, where commonly he that remains master of the field of battle, justly assumes the honour of the victory; whereas in naval engagements, a fog, a calm, a wind, either contrary or tempestuous, may oblige the victorious fleet

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A naval engagement at Southwold Bay of Solbay. Burchett. Echard. III. p. 299. Bainsge. Primi.

The victory uncertain!

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A a

to

p. 206. In the English fleet there were twenty thousand men, and four thousand guns; in the French, thirteen thousand men, and two thousand guns; and in the Dutch, twenty two thousand men, and four thousand guns. Maigle, or Primi, p. 24.

<sup>1</sup> Of the thousand men on board, six hundred were killed on the deck. When the ship was on fire, the earl retired to his cabin, where he was followed by his capt. sir Richard Haddock, who finding him with a handkerchief before his eyes, told him of the dan-

ger; but he answered, "He saw how things went, and was resolved to perish with the ship." It seems, the day before the earl observing, that the English fleet rode in Souldbay, in danger of being surprized by the Dutch, advised, that they should weigh anchor, and get out to sea. But the duke of York, slighting the advice, told the earl, "That he spake that out of fear:" which the earl is thought to have so highly resented, that it rendered him careless of his own safety. Kennet, p. 314. Echard, tom. III, p. 300.

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to retire the first. However this be, bonfires were equally made at London, and the Hague, for the success of the battle, though with very little reason. The English complain, the French did not discharge their duty, and only fought at a distance, after having separated from the fleet. This conduct is ascribed to secret orders given to count d'Etrees, not to expose too much his majesty's ships, but to leave the English and Dutch fleets to destroy one another<sup>m</sup>.

Burnet.

Echard.

Advance-  
ments at  
court.

April 20.

Kennet,

p. 314.

The king  
suspends the  
execution of  
two acts of  
parliament.

May 10.

Ibid.

Echard.

Some time before, the king had created the earl of Lauderdale, duke of the same name; the lord Ashley Cooper, earl of Shaftsbury; lord Arlington, earl of Arlington; and sir Thomas Clifford, lord Clifford. About the same time sir Thomas Osborn was sworn into the privy council, and the new duke of Lauderdale, and the earl of Arlington, received the order of the garter. This was doubtless, to recompence these members of the cabal, for their great services, in advising him to suspend, by his sole authority, the execution of two acts of parliament<sup>n</sup>, till he should think fit to take off the suspension. Though this suspension was not in itself disadvantageous to the publick, yet, as it proceeded from the same principle by which the king assumed a power of suspending the penal laws against the nonconformists, it was sufficiently clear, that he would not stop there.

Holland in a  
most deplorable  
condition.  
Balsage.  
Kennet,  
p. 314.

I have already taken notice of the sad condition of the states of the United Provinces. There were two provinces, Guelderland, and Utrecht, in the power of the French. Overijssel was in the hands of the elector of Cologne, and the bishop of Munster. The two provinces of Friesland and Groninghen were not only threatened, but also attacked. In short, the province of Holland found no readier way to stop the progress of the French king<sup>o</sup>, who was at Utrecht, than

<sup>m</sup> There were two English ships burnt, three sunk, and one taken; and of the French, one was burnt, and another sunk. Burchett, p. 403. The English also lost the captains of the following ships; of the Henry, Cambridge, Prince, St. George, Anne, Triumph, and Alice. They lost also the lord Maidstone, mr. Montague, sir Phillip Cartwright, sir Charles Harbord, mr. Cotterel, mr. Napier, &c.-- The body of the earl of Sandwich was discovered by one of the king's ketches (being known by the George he had on)

and being taken up, and brought to Harwich, was thence removed to London, and solemnly buried in Westminster Abbey. Kennet, p. 314.

<sup>n</sup> One was, for the encouraging and increasing of shipping and navigation; and the other, for the encouragement of trade. Kennet, p. 314.

<sup>o</sup> Who was approaching with an army of one hundred and eighty thousand foot, and twenty six thousand horse; commanded by the prince of Conde, and the marshal de Turenne. Idem, p. 315.

than by opening the sluices, and laying the country under water<sup>p</sup>. This melancholy situation of affairs, raised a great discontent in the people of Holland: and as the pensionary de Wit had been many years at the head of the government, all the calamities of his country were charged to his ill conduct. Moreover; the people openly accused him of betraying his country. At last, the general discontent rose into sedition, and caused the states of Holland to annul the perpetual edict made in the year 1667, by which they had obliged themselves never to own the prince of Orange for stadtholder, and to dispense with that oath; after which, the prince was made stadtholder. Some time after, the two brothers, Cornelius, and John, de Wit, the first grand bailiff of Putten, and the other pensionary of Holland, but who had lately thrown up his employ, were torn in pieces by the mob of the Hague. The story is too well known to need a recital. It suffices to say, the prince of Orange remained in peaceable possession of the government of Holland and Zealand; for Friesland, and Groningen had a separate stadtholder, namely, the young prince Henry Casimir, of Nassau, under the tuition of the princess his mother<sup>q</sup>, and three provinces were in the hands of the enemy.

Admits the prince of Orange to the office of stadtholder. July 3.

The two de Witts tore to pieces by the rabble.

Temple's mem. Basnage. Echard. Burnet.

The king of France, who had ever feared the prince of Orange's advancement, no sooner saw him invested with his eminent dignity, than he endeavoured to corrupt him with the offered sovereignty of Holland. But he found the young prince deaf to all his offers, and resolute to serve the states who had intrusted him with its government, to the last moment of his life<sup>r</sup>. The king of England seconded his ally in this design. The states had sent ambassadors to him with proposals of peace, as they had also to the king of France at Utrecht. But the king, after a refusal to treat but in conjunction with France, and fearing the states design was to disunite them, or render them jealous of each other, dispatched the duke of Buckingham, and the earl of Arlington, (two members of the cabal,) with George Savil, lord Halifax, into Holland, on pretence of treating of a peace jointly with France. These ambassadors passing through the Hague,

The king of France tries to corrupt the prince of Orange, but in vain. Temple's mem.

Basnage.

Charles sends ambassadors into Holland. Arlington's letters.

Kennet. Basnage.

A a 2

in

<sup>p</sup> By which the country received damage, to the value of eighteen millions of guilders. Ibid.

<sup>q</sup> Rapin says, by mistake, John Casimir, born 1687, son of Henry Casimir, who was born 1657, and died 1696.

<sup>r</sup> He always answered, That he would never betray a trust that was given him, nor ever sell the liberties of his country, that his ancestors had so long defended. Temple's mem. p. 381.

1672. in their way to Utrecht, affected to give out, that they were come to bring peace. But when they came to treat, their proposals were so exorbitant, that it was evident peace was not the king's view in this embassy. It was rather to draw closer the alliance between France and England, and concert new measures for the prosecution of the war, as the sequel clearly discovered. In passing through the Hague, the duke of Buckingham asked the prince, what it was he proposed to himself in the desperate situation of his country. To which the prince replied, "That it was true their condition was dangerous, but he had one way still not to see its ruin completed, and that was to lie in the last dyke." It is reported, the same duke, in a visit to the princess of Orange, having told her that they were good Hollanders, was immediately answered by her, "That was more than they asked, which was only that they should be good Englishmen." For the war was so evidently contrary to the interest of England, that the English themselves openly murmured at it. But, as I have said, not only on this occasion, but throughout this whole reign, the interest of the king, and that of the people were always directly opposite. The king, after the example of his father and grandfather, thought he could silence the complaints of the people by a proclamation to forbid, under severe penalties, to speak against the government, but this served only to increase the murmurs.

Echard,  
III. p. 305.  
Burnet.

Temple's  
mem.  
p. 382.

Kennet.  
Echard.

Lewis  
marches  
into Flan-  
ders.  
Bainage.  
Kennet.

In the mean time, the king of France seeing, that the drowning of Holland put a stop to his conquests, marched his army into Flanders, leaving the duke of Luxemburgh at Utrecht, and came to Paris in August, attended by the duke of Monmouth, who, in pursuance of Charles's engagement in their treaty, had brought him, at the opening of the campaign, six thousand effective men.

I shall not relate the particulars of the war carried on by land during the rest of the campaign, because England had no part in it, and, besides, it is fully described by the histories of those times. It is sufficient for the reader to know in general, that though the states had some success against the bishop of Munster, their affairs were reduced to a wretched condition, and the neighbourhood of the duke of Luxemburgh scarce gave them time to breathe. Their whole refuge lay in the alliances they expected to make with the emperor, Spain, and some princes of Germany, and in the hopes that the English parliament which was to meet, according to the prorogation the 30th of October, would see the interest of England and of all Europe. But the

Bainage.

The Dutch  
conceive  
great hopes  
from the  
parliament.  
Arlington's  
letters.

the king deprived them of this last resource, by proroguing the parliament to February. 1672.

The 4th of December the king declared in council, that he would raise more forces, and dispose of them in convenient quarters, to be employed on occasion. And for payment of them, he ordered that the exchequer should continue shut till the 1st of May 1673, though he had positively promised it should be opened the beginning of the year. He published on this account, a proclamation, in which it was said, "That notwithstanding his majesty had not been wanting on his part, to comply with all honourable ways and means that might effect a peace, yet the continuance of those inevitable necessities which first obliged him to shut up the exchequer, compelled him to continue to stop the payment of moneys till the 1st of May next: doubting not but that his loving subjects would have such trust and confidence in his justice, that it would take away all apprehensions of their being in the least defrauded of their just dues."

The ways and means used by the king to effect a peace, consisted, in that his two ambassadors at Utrecht were contented to demand in his name, a million of pounds sterling, for the expences of the war; the compliment of the flag without any exception; a hundred thousand pounds yearly for the liberty of fishing; the sovereignty of all that should remain of the United Provinces, for his nephew the prince of Orange; a participation of the whole India trade; the town of Sluis, the isles of Cadzant, Walcheren, Goeree, Voorne; and lastly, an entire satisfaction to the king of France. It must have been great obstinacy in the states to find fault with such reasonable demands. Consequently the king could not in honour dispense with the continuation of the war, and the keeping the Exchequer shut to maintain it.

Sir John Trevor dying this year, sir Henry Coventry, lately returned from Sweden, where he had successfully negotiated for the king, succeeded him in the office of secretary of state.

Sir Orlando Bridgeman resigning the great seal, the new seal of Shaftsbury was made lord high chancellor. A few days after, the king performed his promise to Clifford, by making him lord treasurer, so that all the great offices

A a 3

\* He refused to put the great seal to the declaration for indulgence, as judging it contrary to law: so he was dismissed. Burnet, p. 307.

The exchequer shut by a new order. Echard, III. p. 306.

The king's demands for a peace. Basnage, II. p. 257.

Coventry made secretary.

Shaftsbury lord chancellor. Kennet, p. 316.

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offices of the state were held by the cabal, or by persons devoted to their interests. But that it may be seen, how the five lords of the cabal flattered the king, and one another, at the very time, the nation was most loudly exclaiming against the government, I shall insert here part of a speech made by the lord Shaftsbury, as chancellor, to the lord Clifford, when he tendered him the oath in Westminsterhall, upon his admission to the office of treasurer. After telling him the nature of his office, he added,—"My lord, I may justly say you are in a place of the very first rank as to dignity, power, trust, and influence of affairs; a place that requires such a man as our great master's wisdom hath found for it; from whose natural temper we may expect courage, quickness and resolution; from whose education wisdom, and experience; and from whose extraction that noble and illustrious house of the Cliffords', an heroic mind, a large soul, and an unshaken fidelity to the crown, My lord, it is a great honour, much even beyond the place itself, that you are chosen to it by the king, who, without flattery, I may say, is as great a master in the knowledge of men and things, as this, or any other age hath produced; and let me say farther, it is not only your honour that you are chosen by him, but it is your safety too, that you have him to serve; with whom no subtle insinuations of any near him, nor the aspiring interest of a favourite, shall ever prevail against those that serve him well. Nor can his servants fear to be sacrificed to the malice, fury, or mistake of a more swelling popular greatness: a prince under whom the unfortunate fall gently: a prince in a word, that best of all mankind deserves the title of *deliciae humani generis*. Let me end with this wish, or rather prophecy, that you may exceed all your predecessors in this place; the abilities and fidelity of the renowned lord Burleigh; the sagacity, quickness, and great dispatch of his son the lord Salisbury; and the uprightness, integrity, and wisdom of that great man that went last before you, the earl of Southampton."

It will hereafter appear, that the earl of Shaftsbury preserved not long the sentiments of esteem and admiration for the king, expressed in this speech.

Hitherto

t The treasurer was descended from the Cliffords earls of Cumberland. See Dugdale's *hazards*. tom. I. p. 334.

Hitherto the cabal had sailed with a prosperous gale on 1672-3, a very dangerous sea, famous for wrecks, without any opposition. But at last they were stopped in their course by a rock which it was not possible to avoid, I mean the parliament. It was now almost two years since the parliament was assembled, and as, in that interval, the king had taken some steps which instilled great fears into his subjects, the new session was expected with the utmost impatience, in hopes, that the parliament would apply proper remedies to the present evils, and find means to prevent those with which the kingdom was still threatened. The parliament therefore met the 4th of February, and chose a speaker by the direction of the court, sir Edward Turner the last speaker having been made chief baron of the Exchequer. The choice falling upon sir Job Charleton, he desired to be excused; but the lord chancellor Shaftsbury told him, before the king and both houses, that no excuses would be admitted. "The conjuncture of time, (says he,) and the king's and kingdom's affairs, require such a house of commons, and such a speaker. For, with reverence to the holy scripture, the king may on this occasion say, he that is not with me is against me: for he that doth not now put his hand and heart to support the king in the common cause of this kingdom, can hardly ever hope for such another opportunity, or find a time to make satisfaction for the omission of this." Presently after, the king made the following speech to both houses.

The parliament meets.  
Echard.

A new speaker chosen.

My lords and gentlemen,

"I Am glad to see you here this day; I would have called you together sooner, but that I was willing to ease you and the country, till there was an absolute necessity. Since you were last here, I have been forced to a most important, necessary and expensive war; and I make no doubt, but you will give me suitable and effectual assistance to go through with it. I refer you to my declaration for the causes, and indeed the necessity of this war; and shall now only tell you, that I might have digested the indignities to my own person, rather than have brought it to this extremity, if the interest as well as the honour of the whole kingdom had not been at stake: And if I had omitted this conjuncture, perhaps I had not again ever met with the like advantage. You will find, that the last supply you gave me, did not answer the expectation for the end you gave

The king's speech to the parliament.  
Echard.

1672-3. " it, the payment of my debts. Therefore I must in  
 " the next place recommend them again to your especial  
 " care.

" Some few days before I declared the war, I put forth  
 " my declaration for indulgence to dissenters, and have  
 " hitherto found a good effect of it by securing peace  
 " at home, when I had war abroad. There is one part  
 " in it that hath been subject to misconstruction, which is  
 " that concerning the papists; as if more liberty were  
 " granted to them, than to the other recusants; when it  
 " is plain, there is less: for the others have publick places  
 " allowed them, and I never intended that they should  
 " have any, but only have the freedom of their religion in  
 " their own houses, without any concurrence of others. And  
 " I could not grant them less than this, when I had  
 " extended so much more grace to others, most of them  
 " having been loyal, and in the service of me, and of the  
 " king my father: and in the whole course of this in-  
 " dulgence, I do not intend, that it shall any ways preju-  
 " dice the church, but I will support its rights, and it in  
 " its full power. Having said this, I shall take it very ill  
 " to receive contradiction in what I have done. And I  
 " will deal plainly with you, I am resolved to stick to my  
 " declaration. There is one jealousy more that is malici-  
 " ously spread abroad, and yet so weak and frivolous, that  
 " I once thought it not of moment enough to mention;  
 " but it may have gotten some ground with some well-  
 " minded people, and that is, that the forces I have rai-  
 " sed in this war, were designed to controul law and pro-  
 " perty: I wish I had more forces the last summer, the  
 " want of them convinces me, I must raise more against  
 " this next spring; and I do not doubt but you will con-  
 " sider the charge of them in your supplies. I will con-  
 " clude with this assurance to you, that I will preserve  
 " the true reformed protestant religion, and the church,  
 " as it is now established in this kingdom; and that no  
 " man's property or liberty shall ever be invaded. I leave  
 " the rest to the chancellor."

The speech afterwards spoke by the chancellor is so re-  
 markable, that it well deserves a place in this history.

" My lords, and you knights, citizens, and burgesses of  
 " the house of commons,

" The king hath spoke so fully, so excellently well, and  
 " so like himself, that you are not to expect much from  
 " me,

" me. There is not a word in his speech that hath not 1672-3  
 " its full weight: And I dare with assurance say, will have  
 " its effect with you. His majesty had called you sooner,  
 " and his affairs required it, but that he was resolved to  
 " give you all the ease and vacancy to your own private  
 " concerns; and the people as much respite from pay-  
 " ments and taxes, as the necessity of his business, or their  
 " preservation, would permit. And yet (which I cannot  
 " but here mention to you) by the crafty insinuations of  
 " some ill-affected persons, there have been spread strange  
 " and desperate rumours, which your meeting together  
 " this day, hath sufficiently proved both malicious, and  
 " false. His majesty hath told you, that he is now en-  
 " gaged in an important, very expensive, and indeed a  
 " war absolutely necessary and unavoidable. He hath re-  
 " ferred you to his declaration, where you will find the  
 " personal indignities by pictures and medals, and other  
 " publick affronts, his majesty hath received from the  
 " states, their breach of treaties, both in the Surinam,  
 " and East India business: And at last they came to that  
 " height of insolence, as to deny the honour and right of  
 " the flag, though an undoubted jewel of this crown, ne-  
 " ver to be parted with, and by them particularly owned  
 " in the late treaty of Breda, and never contested in any  
 " age. And whilst the king first long expected, and then  
 " solemnly demanded satisfaction, they disputed his title  
 " to it, in all the courts of Christendom, and made great  
 " offers to the French king, if he would stand by them  
 " against us. But the most christian king too well re-  
 " membered, what they did at Munster, contrary to so  
 " many treaties and solemn engagements; and how dan-  
 " gerous a neighbour they were to all crowned heads.  
 " The king and his ministers had here a hard time, and  
 " lay every day under new obloquies. Sometimes they  
 " were represented as selling all to France for money to  
 " make this war: Portsmouth, Plymouth, and Hull, were  
 " to be given into the French hands for caution. The  
 " next day news came, that France and Holland were a-  
 " greed. Then the obloquy was turned from treachery  
 " to folly: the ministers are now fools, that some days  
 " before were villains. And indeed the coffee-houses were  
 " not to be blamed for their last apprehensions; since if  
 " that conjunction had not taken effect, then England had  
 " been in a far worse case than it now is, and the war had  
 " been turned upon us. But both kings knowing their  
 " interests,

1672-3. " interests, resolved to join against them, who were the  
 " common enemies to all monarchies, and I may say es-  
 " pecially to ours, their only competitor for trade and  
 " power at sea; and who only stand in their way, to an  
 " universal empire, as great as Rome. This the states  
 " understood so well, and had swallowed so deep, that un-  
 " der all their present distress and danger, they are so in-  
 " toxicated with that vast ambition, that they slight a treaty,  
 " and refuse a cessation. All this, you, and the whole  
 " nation saw, before the last war; but it could not then  
 " be so well timed, or our alliances so well made. But  
 " you judged aright, that at any rate, *DELEND A EST*  
 " *CARTHAGO*, That government was to be brought  
 " down. And therefore the king may well say to you,  
 " it is your war! he took his measures from you; and  
 " they were just and right ones: and he expects a suit-  
 " able assistance to so necessary and expensive an action;  
 " which he has hitherto maintained at his own charge,  
 " and was unwilling either to trouble you, or burthen  
 " the country, until it came to an inevitable necessity.  
 " And his majesty commands me to tell you, that unless  
 " it be a certain sum, and speedily raised, it can never  
 " answer the occasion.

" My lords and gentlemen, reputation is the great sup-  
 " port of war or peace. This war had never begun,  
 " nor had the states ever slighted the king, or ever refused  
 " him satisfaction; neither had this war continued to  
 " this day, or subsisted now, but that the states were  
 " deceived in their measures, and apprehended his majesty  
 " in that great want of money, that he must sit down un-  
 " der any affronts, and was not able to begin or carry  
 " on a war. Nay, at this day the states support them-  
 " selves amongst their people by this only falsehood, that  
 " they are assured of the temper of England, and of the  
 " parliament, and that you will not supply the king in this  
 " war; and that if they can hold out till your meeting,  
 " they will have new life, and take new measures. There  
 " are lately taken two of their principal agents, with their  
 " credentials and instructions to this purpose, who are  
 " now in the Tower, and shall be proceeded against ac-  
 " cording to the law of nations. But the king is suffi-  
 " ciently assured of his people; knows you better; and  
 " can never doubt his parliament. This had not been  
 " mentioned, but to shew you of what importance the  
 " frankness and seasonableness of this supply is, as well as  
 " the

" the falseness of it. Let me say, the king has brought the  
 " states to that condition, that your hearty conjunction at 1672-3,  
 " this time in supplying his majesty, will make them ne-  
 " ver more formidable to kings, or dangerous to England.  
 " And if after this you suffer them to get up, let this be  
 " remembered, the states of Holland are England's eter-  
 " nal enemies both by Interest and Inclination. In the  
 " next place, to the supply for the carrying on of the  
 " war, his majesty recommends to you the taking care  
 " of his debts. What you gave the last session did not  
 " answer your own expectation. Besides another consid-  
 " erable aid, you designed his majesty, was unfortunately  
 " lost in the birth; so that the king was forced for the  
 " carrying on his affairs, much against his will, to put a  
 " stop to the payments out of the exchequer. He saw  
 " the pressures upon himself, and growing inconveni-  
 " encies to his people by great interest; and the difference  
 " through all his business between ready money and or-  
 " ders. This gave the king the necessity of that pro-  
 " ceeding; to make use of his own revenue, which hath  
 " been of so great effect in this war. But though he hath  
 " put a stop to the trade and gain of the bankers, yet he  
 " would be unwilling to ruin them, and oppress so many  
 " families as are concerned in those debts: besides, it were  
 " too disproportionable a burthen upon many of his good  
 " subjects. But neither the bankers, nor they, have reason  
 " to complain, if you now take them into your care,  
 " and they have paid them what was due to them when  
 " the stop was made, with six per cent. interest from  
 " that time. The king is very much concerned both in  
 " honour and interest, to see this done, and yet, he de-  
 " sires you not to mistake it; but that it may have only  
 " the second place, and that you will first settle what you  
 " intend about the supply.

" His majesty has so fully vindicated his declaration  
 " from that calumny concerning the papists, that no rea-  
 " sonable scruple can be made by any good man. He has  
 " sufficiently justified it by the time it was published in,  
 " and the effects he had from it; and might have done  
 " it more from the agreeableness of it, to his own natu-  
 " ral disposition, which no good Englishman can wish  
 " other than it is. He loves not blood, or rigorous se-  
 " verities; but where mild and gentle ways may be used  
 " by a wise prince, he is certain to chuse them. The  
 " church of England, and all good protestants, have reason

" to

2672-3. " to rejoice in such a head, and such a defender. His ma-  
 " jesty doth declare his care and concerns for the church,  
 " and will maintain them in all their rights and privile-  
 " ges, equal, if not beyond any of his predecessors. He  
 " was born and bred up in it: It was that his father died  
 " for: we all know how great temptations and offers he  
 " resisted abroad, when he was in his lowest condition;  
 " and he thinks it the honour of his reign, that he hath  
 " been the restorer of the church. It is that he will ever  
 " maintain, and hopes to leave to posterity in greater lustre,  
 " and upon surer grounds, than our ancestors ever saw it.  
 " But his majesty is not convinced, that violent ways are  
 " the interest of religion, or the church. There is one  
 " thing more, that I am commanded to speak to you of,  
 " which is the jealousy that hath been foolishly spread  
 " abroad, of the forces the king had raised in this war.  
 " Wherein the king hath opened himself freely to you,  
 " and confessed the fault on the other hand. For if this  
 " last summer had not proved a miracle of storms and  
 " tempests, such as secured their East India fleet, and pro-  
 " tected their sea coasts from a descent, nothing but the  
 " true reason, want of money, could have justified the  
 " defect in the number of our forces. It is that his ma-  
 " jesty is provided for against the next spring, having given  
 " out orders for the raising of seven or eight regiments more  
 " of foot, under the command of persons of the greatest  
 " fortunes and quality. And I am earnestly to recommend  
 " to you, that in your supplies, you will take into your  
 " consideration, this necessary addition of charge.

" And after his majesty's conclusion of his speech, let  
 " me conclude, nay, let us all conclude with blessing God,  
 " and the king! let us bless God, that he hath given us  
 " such a king, to be the repairer of our breaches, both in  
 " church and state; and the restorer of our paths to dwell  
 " in: that in the midst of war and misery, which rages  
 " in our neighbour countries, our garners are full, and  
 " there is no complaining in our streets; and a man can  
 " hardly know that there is a war. Let us bless God  
 " that he hath given this king signally the hearts of his  
 " people, and most particularly of his parliament, who in  
 " their affection and loyalty to their prince, have exceeded  
 " all their predecessors: a parliament, with whom the  
 " king hath many years lived with all the caresses of a  
 " happy marriage. Has the king had a concern? you  
 " have wedded it. Has his majesty wanted supplies? you  
 " have

" have readily, chearfully, and fully provided for them.  
 " You have relied upon the wisdom and conduct of his ma-  
 " jesty in all his affairs; so that you have never attempted  
 " to exceed your bounds, or to impose upon him: whilst  
 " the king, on the other hand, hath made your counsels  
 " the foundation of all his proceedings; and hath been  
 " so tender of you, that he hath upon his own revenue  
 " and credit, endeavoured to support even foreign wars,  
 " that he might be least uneasy to you, or burthensome  
 " to his people. And let me say, that though this mar-  
 " riage be according to Moses's law, where the husband  
 " can give a bill of divorce, put her away and take a-  
 " nother; yet I can assure you, it is as impossible for  
 " the king to part with this parliament, as it is for you  
 " to depart from that loyalty, affection and dutiful be-  
 " haviour, you have hitherto shewn towards him. Let  
 " us bless the king for taking away all our fears, and  
 " leaving no room for jealousies; and for those assu-  
 " rances and promises he hath made us. Let us bless  
 " God and the king, that our religion is safe; that the  
 " church of England is the care of our prince; that par-  
 " liaments are safe; and that our properties and liber-  
 " ties are safe. What more hath a good Englishman to  
 " ask? But that this king may long reign, and this  
 " triple alliance of king, parliament, and people, may  
 " never be dissolved."

1672-3-

I shall make no reflections on this speech, because it <sup>Remark upon</sup>  
 would lead me too far; and besides, I imagine every dis- <sup>on this</sup>  
 interested reader can see the falsity of most of the things <sup>speech.</sup>  
 related, and the gross artifice wherewith they are vented.  
 I shall only observe, that this speech was spoke by a mem-  
 ber, or rather by the head of the cabal, who perfectly  
 knew the king's secret intentions. The earl of Shaftsbury  
 therefore must have had a forehead of brass to pronounce <sup>Echard,</sup>  
 such a speech before so august an assembly. But very like- <sup>III. p. 313.</sup>  
 ly, this was only for form sake, and the cabal believed <sup>Burnet.</sup>  
 themselves so secure, that the parliament itself would not  
 dare to seem to know their artifices. But they were mis-  
 taken, and even the house of commons had already given  
 some indications of vigour, before the king and chancellor  
 had delivered their speeches. Presently after their meeting,  
 they loudly complained of writs issued out by the lord chan-  
 cellor, for electing and returning of persons to sit in their  
 house, in the room of such as were dead, or removed. And  
 by the way, all the members elected by virtue of these writs,  
 were

1672-3. were the chancellor's creatures. This complaint caused the king immediately after the two speeches, to declare to the commons, "That he had given order to the lord chancellor to send out writs, for the better supply of their house, having seen precedents for it; but if any scruple or question did arise about it, he left it to the house to debate as soon as they could." Accordingly, the very next day the commons voted the writs and returns irregular, and expelled all the members thus elected.

Members unduly elected turned out of the house.

Two parties in the parliament.

There were in this parliament, as in most others, two parties, called the court and country party. This was their distinction, and it manifestly implied, that the interests of the court were directly opposite to those of the people, as the interests of one party are usually to those of the contrary. The court party had always prevailed, while the people were persuaded of the good intentions of the king and his ministers. But as the king discovered himself, both by his way of living, and frequent signs of irreligion; or by his inclination for the papists; or by his profusion, and avidity of money; or lastly, by his union with France, and the war with the states, his party sensibly decreased every day, for two very natural reasons. First, because many of those members, who, at the beginning, were of the king's party through inclination and zeal for religion, whilst they considered him as protector of the church of England, lost this inclination, as soon as they were convinced, that the king was far from designing the good of the church or state. The king's protestations lost all their effect, when it was once seen, that his actions corresponded so little with his words. Secondly, for the same reason, the people, perceiving that religion and the state were in danger, chose such representatives to fill the vacancies of the house, whose principles were directly opposite to the designs of the court. As the vacancies by the death of the members could not but be very numerous in a parliament, which had now sat twelve years, the country party came by degrees to prevail, and the king and his ministers no longer found it so easy to carry whatever they desired, as at the beginning of the parliament. It is certain, so long as the people do not suspect the king of ill designs against liberty and religion, the court party prevail in the parliament, or rather there are not then two different parties. For, supposing the king an exact observer of the laws himself, and careful to see them punctually obeyed, there can be no difference between the two parties, but with respect to the quantity of money granted to the king.

But

That of the people uppermost.

But as the people are under obligations to the king, for his maintenance of order, equity, moderation, and justice in the government, they are never uneasy with the power and wealth heaped on such a king, and commonly the country party, if there is one in the parliament, is much inferior to the king's. But the case is quite different, when the people are once prejudiced against their sovereign, and no longer confide in his promises. For then, the court party is composed of men, who have only their own private fortune in view, and is not so numerous as that of the people, which, besides the publick interest, finds likewise a private advantage in opposing the designs of the court. In this case, the people usually chuse able representatives, and such as are believed well affected to their country, and it is very rarely that the intrigues of the court are capable of hindering these elections. A proof of what I advance was seen in the elections of the parliament of the 3d of November 1640, under Charles I, wherein the country party was so superior to that of the court. This proof is confirmed by the transactions of the parliament I am now speaking of, which for twelve years had appeared so devoted to the king, and which changed from one extreme to another, when they had once lost their former confidence in the king and his ministers. It is in vain to ascribe this change to the intrigues and cabals of some particular enemies of the court. Never would private persons be powerful enough to corrupt a whole parliament, or the greater part, if their credit was not built upon the mismanagement of the king and his ministers. As we are entering upon a new period, I believed it necessary to prepare the reader for this change, by showing him the true cause of it.

We have seen in the two speeches of the king and the chancellor, what vast supplies the king demanded of his parliament, namely, a considerable aid for the sea service; another for the land; a third to discharge some old debts; a fourth to refund the money taken out of the exchequer, and which could not amount to less than two millions two hundred and fifty thousand pounds sterling for the space of seventeen months. All this computed, must have amounted at least to five millions. Though the chancellor's speech made but little impression on the commons, they would however show, that in demanding a redress of grievances, as was their intension, they did not act through a spirit of passion and revenge. Wherefore, though they were by no means convinced of the necessity or justice of the war un-  
Feb. 7.  
Kennet,  
dettaken p. 318.

1672-3. undertaken by the king, they voted a supply of an eighteen months assessment of seventy thousand pounds per mensent, which in all amounted to twelve hundred and sixty thousand pounds, for the king's extraordinary occasions, without specifying that it was for the support of the war. But for fear the king should prorogue them when the money bill was passed, they resolved that the redress of grievances should keep an even pace with it.

Address of  
the com-  
mons a-  
gainst the  
declaration  
for liberty of  
conscience.  
Echard.  
III. p. 314.

The king's  
answer.  
Feb. 23.

For this purpose, the 19th of February the commons presented an address to the king, in which they told him—  
 “ That having taken into consideration his declaration for  
 “ indulgence to dissenters, they found themselves bound in  
 “ duty to inform his majesty, That penal laws in matters  
 “ ecclesiastical cannot be suspended but by act of parliament;  
 “ they therefore most humbly besought his majesty, to give  
 “ such directions, that no apprehensions or jealousies, might  
 “ remain in the hearts of his faithful subjects.” To this  
 address the king sent the following answer. “ That he is  
 “ very much troubled, that the declaration which he put out  
 “ for ends so necessary to the quiet of this kingdom, espe-  
 “ cially in that conjuncture, should prove the cause of dis-  
 “ quiet, and give occasion to the questioning of his power  
 “ in ecclesiasticks, which he finds not done in the reigns of  
 “ any of his ancestors. That he never had thoughts of  
 “ using it otherwise than as it hath been intrusted in him to  
 “ the peace and establishment of the church of England,  
 “ and the ease of all his subjects in general: neither doth he  
 “ pretend to suspend any laws wherein the properties, rights,  
 “ or liberties of any of his subjects are concerned, nor to  
 “ alter any thing in the established doctrine or discipline of  
 “ the church of England: but his only design in this was;  
 “ to take off the penalties inflicted by statutes upon the dis-  
 “ senters, and which he believed, when well considered of;  
 “ they themselves would not wish executed according to the  
 “ rigour of the law: neither hath he done this with any  
 “ thought of avoiding, or precluding the advice of his parli-  
 “ ament; and if any bill shall be offered to him, which shall  
 “ appear more proper to attain the aforesaid ends, and secure  
 “ the peace of the church and kingdom, when tendered in  
 “ due manner to him, He will shew how readily he will  
 “ concur in all ways that shall appear for the good of the  
 “ kingdom.”

A second  
address from  
the com-  
mons.  
Feb. 26.

The commons easily perceived, the king was not inclined to desist from his declaration. Wherefore, three days after, they presented another address, in which, “ They thanked  
 “ him

"him for his gracious assurance and promises of maintaining  
 "the religion established, and the liberties and properties  
 "of the people: and they did not in the least doubt, but  
 "that his majesty had the same gracious intentions in giving  
 "satisfaction to his subjects, by his answer to their last pe-  
 "tition and address: but that they found, that the said an-  
 "swer was not sufficient to clear the apprehensions that might  
 "justly remain in the minds of his people, by his majesty's  
 "having claimed a power to suspend penal laws in matters  
 "ecclesiastical, and which his majesty did still seem to as-  
 "sert, in the said answer, to be entailed in the crown, and  
 "never questioned in any of the reigns of his ancestors:  
 "wherein they humbly conceived his majesty had been much  
 "misinformed, since no such power had ever been claimed  
 "or exercised by any of his majesty's predecessors. And  
 "if it should be admitted, might tend to the interrupting  
 "the free course of the laws, and altering the legislative  
 "power, which had always been acknowledged to reside in  
 "his majesty, and in his two houses of parliament. They  
 "therefore with an unanimous consent became humble sui-  
 "tors to his majesty, that he would be pleased to give them  
 "a full and satisfactory answer to their said petition and ad-  
 "dress, and that his majesty would take such effectual or-  
 "der, that the proceedings in this matter might not for the  
 "future be drawn into consequence or example." The king's  
 answer to this address was, "It is of consequence, and I will  
 "take it into consideration."

At the time, these addresses were preparing, sir Job Charle-  
 ton, speaker of the house of commons being taken ill, hum-  
 bly prayed his majesty, that he might be eased of the burden  
 he was not able longer to sustain. Edward Seymour, so fa-  
 mous in the reign of William III. was, by the court's re-  
 commendation chosen in his room.

Mr. Sey-  
 mour chosen  
 speaker of  
 the com-  
 mons.  
 Kennet,  
 p. 318.

The king and the cabal were extremely mistaken in ima-  
 gining, that the declaration for liberty of conscience, would  
 gain the presbyterians, in return for so great a favour. The  
 leaders of the presbyterians were too wise to be taken in so  
 palpable and dangerous a snare. It was easy for them to see,  
 they were only designed for instruments to advance the in-  
 terests of the Romish religion. When they reflected, that  
 this favour was received from the king, the duke of York,  
 and the members of the cabal, they could not believe, it  
 flowed from a principle of religion or humanity. They saw  
 besides so many extraordinary proceedings, so many Invasi-  
 ons upon the rights of the people; the papists indulged in  
 their

The presby-  
 terians upon  
 their guard.

Kennet,  
 p. 318.

1672-3. their religion; the king making exorbitant demands upon his parliament; an army incamped at the very gates of London<sup>u</sup> in the midst of winter; a war begun to destroy the only protestant state capable of supporting religion; and papists in the principal posts; all this sufficiently demonstrated, that the suspension of the penal laws was not for their sake. So, instead of thanking the king for this pretended favour, alderman Love, a city member, and an eminent dissenter, spoke with the greatest warmth against the declaration<sup>v</sup>.

Richard,  
III. p. 316.  
Burnet.

A bill prepared by the commons in favour of the presbyterians.

This declaration for liberty of conscience, wrought a great change in the house of commons. For that house, which had been so fiercely animated against the presbyterians, seeing them sacrifice their own, to the interests of religion and the kingdom, ordered a bill to be brought in for their ease; a bill by which all the penalties against them in the act of uniformity were removed, and nothing required but the taking the oaths of allegiance and supremacy. This bill was read the first time on the 27th of February, and in a few days was completed. But the lords having made some amendments, the king prorogued the parliament before these amendments could be agreed to by the commons.

A reflection upon the conduct of the commons.

This bill, which was readily passed by the commons, sufficiently showed their distrust of the court with regard to the declaration for liberty of conscience, since by it all pretence was taken away of confounding the presbyterians with the other nonconformists. So long as the commons had not suspected the king's intention to favour the papists, they had affected to rank all the dissenters in one class, in order to include the presbyterians in the statutes made against the nonconformists in general. But when the king was perceived to use this confusion to favour the papists, the commons were willing to own, the several sects ought to be distinguished, and rather than abandon religion to the intrigues and artifices of the court and the papists, resolved to ease the presbyterians. In this, they discovered a true zeal for the protestant religion in general, knowing, it was not so dangerously attacked by the presbyterians, as by the papists. But it was not on this occasion only that they showed their attachment to the protestant religion. At the very time they were preparing the bill for the ease of the presbyterians,

Richard,  
III. p. 317.

<sup>u</sup> On Black-heath; raised without advice of parliament, and under many popish officers. Kennet, p. 318.

<sup>v</sup> He declared, he had much rather

still go without their desired liberty, than have it in a way that would prove so detrimental to the nation. Ibid.

rians, another was brought in to enjoin frequent catechising in the parochial churches<sup>x</sup> for the instruction of youth, intimating thereby, how necessary this precaution was thought in the present juncture. But this bill, as well as Burnet. the other, was rendered abortive by the prorogation of the parliament<sup>y</sup>.

There is no plainer indication, of what the parliament thought of the designs of the court in favour of the papists, than the address presented by both houses to the king about the same time. This address contained, first complaints on the growth of popery; on the great resort of Romish priests and jesuits in the kingdom; on the admission of so many recusants into places of trust, and particularly in the army. After this, the two houses desired, "1. That his majesty would be pleased to issue out his royal proclamation, to command all priests and jesuits (with exception of those in attendance upon the queen, not being natural born subjects) to depart within thirty days out of the kingdom: and that his majesty would be pleased, in the same proclamation, to command all judges and other officers, to put the laws in execution against all such priests and jesuits, as should be found in the kingdom after that time. 2. That his majesty would be pleased likewise to issue out commissions, to tender the oaths of allegiance and supremacy to all officers and soldiers now in his service and pay, and that such as refused the said oaths, might be immediately disbanded. 3. That the commissaries of the musters be commanded and enjoined by his majesty's warrant, upon the penalty of losing their places, not to permit any officer to be mustered in the service and pay of his majesty, until he hath taken the oaths of allegiance and supremacy, and received the sacrament of the lord's supper, according to the usage of the church of England; and that every soldier should take the said oaths before his first muster, and receive the sacrament in like manner, before his second muster." Upon this address, the king published a proclamation in the usual stile, the seventh of that kind, by which (after a declaration, that as he had always adhered to the church of England, against all temptations whatsoever, so he was resolved to maintain and defend it) he strictly commanded all jesuits and Romish priests

1672-3.

Address  
from the  
parliament  
against the  
papists.

III. P. 317.

A proclamation upon  
it.  
Id. p. 418.

B b 2

to

<sup>x</sup> Every Sunday in the afternoon.  
Richard, tom. III. p. 317.

<sup>y</sup> It was stopped in the house of  
lords, says R. Coke, tom. II. p. 180.

1672-3. to depart the kingdom, and the laws to be put in due execution, against all popish recusants, or justly suspected to be so, &c. This proclamation was not satisfactory to the commons, because it extended but to one single article of their petition, without any mention of the removal of papists from places of trust. Wherefore, they proceeded to a new bill, in order to obtain their end, being resolved not to finish the money bill, till they had procured a redress of their grievances, and particularly a revocation of the declaration for liberty of conscience.

The commons enter upon new measures.

The king in great difficulties.  
Echard.

The king was never so perplexed since his restoration. The cabal had promised to make him absolute, but, after all, suggested no other means than the using of force, at all hazards. He had hoped to attain his aim by degrees, in gaining now one point, then another, and to see himself at last able to trample on all his opposers. He had moreover relied on the assistance of France, after the commonwealth of Holland should be destroyed. But he had preposterously imagined, he should have time to form all his measures, and be able to support his design, whenever it should be opposed. Perhaps too, he had depended upon the condescension of the parliament, which had always been so favourable to him. But as the commons were proceeding, the time was come, that the king must either give way, or break with the parliament. In this last case, he had too much sense to believe, that a handful of papists, with a few flattering courtiers and ministers, were able to support him, at a time when he could expect no assistance from France, and when the malecontents might be countenanced by a Dutch fleet. Besides, his exchequer was empty; and therefore he must have resolved to raise money on his subjects by means of his army: for he knew, if he had not wherewith to content his adherents, he would hardly engage them to betray the interests of their country. But this army was protestant, excepting a few popish officers and soldiers. The officers of the fleet, and the sailors, were also protestants. It was therefore unnatural to expect to engage such a fleet and army in his designs, so contrary to their religion and liberties. Lastly, he considered, that these very ministers and courtiers, who appeared so devoted to his service, would desert him, as it happened to the king his father, when he should be no longer able to protect them. In a word, it was too soon to begin the execution of a project of this nature, for which he was unprepared, and yet, by the parliament's last address, he was obliged  
either

either to execute or relinquish it. His honour seemed engaged to support the declaration for liberty of conscience, for he had told the parliament, that he would adhere to it, and his inclination led him to favour the papists, whose religion he had secretly embraced. He found himself moreover obliged, not to abandon to the resentment of the parliament, ministers, who, in giving him their advice, had depended upon his protection. But honour was not capable to balance the difficulties which he foresaw, if he persisted in his enterprise. On the other hand, his council was divided. The duke of Ormond, and the earl of Arlington advised him to wait a more favourable opportunity; but the duke of York, and the rest of the cabal, were for his throwing off the mask, and supporting his declaration. They represented, that his father's ruin was owing to his condescending to the first demands of the parliament of 1640; and said; they saw no less cause to fear now; for should the declaration be recalled, other demands would be set up, which would never end, till they were carried so high, that the king would not be able to grant them, without undoing himself: and that after a thousand condescensions, he would be at last forced to break with the parliament, and all the fruit he should reap from his compliance, would be to make them the bolder. They farther added, that his holding his resolution a few days would bring the parliament to reason, his majesty having a party among them which began to make the leaders waver; and that there were forces sufficient on foot to support the one side, and intimidate the other. It is pretended, the earl of Shaftsbury undertook to answer for the success. All this was very capable to hold the king in suspense. It is believed, the ladies engaged in this affair, and fearing that a rupture would deprive them of the king's bounties, strongly solicited him to recall his declaration. However that be, the king, after some hesitation, called for the declaration, and with his own hands broke the seal.

1672-3.

His council divided.  
Oyleans.  
Echard.

He recalls his declaration.  
Burnet,  
p. 351.  
Echard.

The king's speech to the parliament.  
Ibid.

The 8th of March the king came to the parliament, and after pressing the commons to dispatch the money-bill, said to both houses,—“ If there be any scruple yet remaining with you touching the suspension of the penal laws, I here faithfully promise you, that what hath been done in that particular, shall not for the future be drawn into example and consequence; and as I daily expect from you a bill for my supply, so I assure you I shall as willingly receive and pass any other you shall

1672-3. "offer me, that may tend to the giving you satisfaction  
 " in all your just grievances.

Is thanked  
 for it by  
 both houses.  
 The cabal  
 very much  
 displeased  
 with the  
 king.

This speech was so agreeable to the parliament, that both houses went into a body and thanked the king for so full and satisfactory an answer.

But if the two houses were pleased, the cabal was not so. They had formed a project, and prepared a scheme to render the king absolute. Nay, they had taken some steps towards the execution. This scheme had never been formed, had it not been supposed, the king would have the courage and resolution to withstand the complaints of the parliament: for the projectors could never think, the parliament would suffer the liberties of the people to be invaded without opposition. All their hope therefore was founded upon the king's steadiness. They were to engage in a contest, in which they flattered themselves to render the king victorious. But they saw, to their great astonishment, the king was retreating, when he should have prepared for battle, and consequently the hopes of victory were entirely vanished. But this was not all they had to fear; they were in danger of being abandoned by the king, after this first step, to the resentment of the two houses; for how could they hope for the protection of the king, who had just given such manifest marks of his own fear?

Shaftsbury  
 turns to the  
 country  
 party.  
 Burnet.  
 Echard.

The earl of Arlington, as I have observed, had in some measure, deserted the cabal, by his advice to the king, to revoke his declaration for liberty of conscience. The earl of Shaftsbury soon followed him, but in a manner more surprizing, more publick, and with more remarkable circumstances. As soon as he saw, the king had not sufficient resolution to execute the great work which was projected, he thought it but just to forsake a prince, who had forsaken himself, and left his counsellors exposed to danger. This was the second time the earl had experienced the king's inconstancy, and want of resolution. The affair of the declaration was common to him with the rest of the cabal. But the writs issued out of chancery for the election of members to fill the vacancies of parliament, were peculiar to him. He had undertaken to issue these writs as chancellor, on pretence of some precedents which were never known, upon the king's positive promise to stand by him, and yet, he was deserted by the king, at the first instance of the commons, or rather before their complaints. This was, however, a thing of very great consequence. For if the crown could have issued writs for filling the vacancies in parliament,

parliament, it would have been very easy for the ministers <sup>1672-3.</sup> to have had such members returned as they pleased, as it happened on this first occasion, wherein all those that were chosen were creatures of the court. Father Orleans, who received his information of the English affairs from king Orleans James II. positively affirms, as one that could not be mis-<sup>refuted.</sup> taken when he follows such a guide, " That the ancient custom was, on the death of a member, for the chancellor " to issue a writ under the great seal, for the election of another: and though the writ contained nothing to obstruct the freedom of the elections, yet the king might find means to prevent any member from being chosen, who was against him. That this custom had been changed during the troubles of the last reign, when the commons assumed the power of issuing the writs by their speaker, and that this abuse had been suffered to continue, since the king's restoration, through the weakness or ignorance of the chancellors before Shaftsbury." But this is a groundless assertion, as appears from what the king said himself to both houses, at the beginning of the session, " That he had given order to the lord chancellor to send out writs, for the better supply of their house, having seen precedents for it." Had this been a right inherent in the crown, and first invaded by the commons, during the troubles of the last reign, would the king have said only, " That he had seen some precedents for it." This remark is only to shew, with what caution the history of father Orleans, though dictated by king James himself, is to be read.

The earl of Shaftsbury was therefore more exposed to the resentment of the commons, than any other of the cabal; not only for pernicious counsels given the king, in conjunction with his four colleagues, the secret whereof was not yet known, but chiefly for the writs issued by him as chancellor, so destructive of their rights and privileges. He had therefore reason to fear a vigorous prosecution for this fact, and it is certain, the party opposite to the court had already projected an accusation against him. On the other hand, the weakness he had discovered in the king, gave him no hopes of a protection from thence. He believed, therefore, he had no other way to divert the impending storm, than by quitting the king's party, and throwing himself into the contrary. " He executed this resolution, says father Orleans, the day after the king resolved to revoke his declaration for liberty of conscience. It was eleven at night before the king had taken his last resolution, and the next morn-

The earl of Shaftsbury throws himself into the party of the people. Orleans.

1672-3. "ing the earl of Shaftsbury appeared in the house of lords, " at the head of the most violent party, against the catho- " lick religion, the Dutch war, and the union with France." He did more, if father Orleans is to be credited, for in a full house he discovered the reasons which had induced the king to grant liberty of conscience, join with France, and declare war against the states. I doubt not his discovering this secret to his new party, but confess, I must have better evidence than that of father Orleans, to convince me, that this discovery was made publickly in a full house, and on this very occasion, especially, before the king and duke of York, who were that day present in the house. This would have been a formal accusation against the king, the duke of York, and the other four members of the cabal, of which he could have given no proofs, if they had been demanded. He had too much sense to expose himself to such a danger. The occasion of his declaring publickly against the king, on the day I am speaking of, was this.

The earl of Shaftsbury declares publickly against the king. Tyley. Burnet. Echard, III. p. 321.

The lord treasurer Clifford, ignorant of Shaftsbury's intentions, paid him a visit the night before, and communicating to him a project for establishing a perpetual fund to free the king from his dependance on the parliament, read to him a speech, he had prepared to speak on the morrow concerning this project in the house of lords. The earl of Shaftsbury seemed highly pleased with the speech, and desired to hear it again. The next day, the king and duke of York coming to the house to countenance the project with their presence, the lord Clifford spoke his speech. He had no sooner done, than the earl of Shaftsbury stood up and answered his speech from the beginning to the end. He demonstrated the project to be extravagant and impracticable; that it would overturn the government, and perhaps send the king and royal family abroad again, to spend their days in exile without hopes of a return. If the treasurer's speech surpris'd the lords who perceived the design of it, their astonishment was increased when they saw the chancellor, a leading member of the cabal, declare so openly against the king. It is said the duke of York, whilst Shaftsbury was speaking, whispered the king, "What a rogue have you of a lord chancellor!" and that the king replied, "What a fool have you of a lord treasurer!" I know not whether the truth of these particulars is to be relied on, some of which are improbable. For what likelihood is there, that the king, after breaking the seal of his

his declaration with his own hands, for fear of the parliament, should appear, within a few hours after, in the house of lords, to support, by his presence, the treasurer's project, which tended to the subversion of parliaments? or that he should call the treasurer fool, for a proposal which the king could not be ignorant of, and had doubtless approved <sup>2</sup>.

However, the earl of Shaftsbury from this time was always at the head of the country party, and caused the king to undergo great mortifications, as will hereafter appear. But I must give here a very material caution to those who read father Orleans's history, or such English or foreign authors as espouse the king's cause. All these writers paint the

Advice to  
the readers  
concerning  
the earl of  
Shaftsbury.

<sup>2</sup> This business of Shaftsbury's turning against the court is thus related by Burnet. The lord Clifford resolving to assert the declaration for liberty of conscience, showed the heads he intended to speak on to the king, who approved of them. He began the debate with rough words, calling the vote of the commons, *Monstrum horrendum, ingens*, and run on in a high strain. When he had done the earl of Shaftsbury, to the amazement of the whole house said, He must differ from the lord that spoke last, *toto cælo*. He said while these matters were debated out of doors, he might think with others that the king's supremacy did warrant the declaration: But now, that such a house of commons were of another mind, he submitted his reasons to theirs. They were the king's great council, and must both advise and support him. The king was all in fury to be thus forsaken by his chancellor, and told the lord Clifford how well he was pleased with his speech, and how highly offended with the other. The debate went on, and upon a division the court had the majority. But above thirty of the most considerable of the house protested against the vote. So the court saw they gained nothing in carrying a vote, that drew after it such a protestation. It seems, Clifford, Buckingham, and Lauderdale, were for violent measures, whilst Arlington and Shaftsbury pressed the king to content the parliament. Accordingly, in the afternoon of the day that the matter had been argu'd in the house of lords Shaftsbury and Arlington got all those mem-

bers of the commons, who were in the court party, to go privately to the king one after another, and tell him, that upon Clifford's speech the house was in such fury, that probably they would have gone to impeachments, had it not been for Shaftsbury's speaking on the other side, who, they believed, spoke the king's sense, as the other did the duke's. So they made the king apprehend, the chancellor's speech, with which he was so offended, was really a great service done him, and persuaded him farther, that he might now save himself, and obtain an indemnity for his ministers, if he would part with the declaration, and pass the bill. Whereupon, before night the king was quite changed, and said to his brother, that Clifford had undone himself, and spoiled all by his speech; and thought Shaftsbury had spoke like a rogue, yet that had stopt a fury, which the other's indiscretion had kindled. The duke, in the evening, told Clifford what the king said. Upon which Clifford went to the king, and said, he thought, that in what he had done he had both served and pleased the king, but was surprized to find by the duke, that the king was of another mind. The king, in some confusion, owned, that all he had said was right in itself, but he should have considered better what the commons could bear. Clifford finding he must lose the white staff, consulted with Buckingham whom to recommend for treasurer, and they pitched upon sir Thomas Osborn, afterwards duke of Leeds, p. 348, &c.

1672-3. the earl of Shaftsbury in very black colours. He was, according to them, the greatest villain that ever lived; his wickedness was answerable to the extent of his genius, and the depth of his penetration. He was perpetually contriving how to torment the king and duke of York, or rather to ruin them irrecoverably. He was not only the head but the soul, of his party, by which they were actuated. In short, every thing transacted afterwards by the parliament against the king, is solely imputed to him, and it is artfully insinuated, that, had it not been for such an agent, the nation would have remained in tranquillity, and the parliament, content with the king's favourable answers, and gracious promises, would have been quiet, and attempted nothing against the court. Thus, according to these writers, all the measures and precautions taken afterwards by the parliament against the designs of the court, were entirely owing to Shaftsbury's malice and revenge. It is easy to perceive, that their design is to cause to vanish the grounds of the parliament's fear and complaint of the conduct of the court, by insinuating, that these complaints were frivolous, and the effects of Shaftsbury's vengeance, who, they say directed both houses of parliament, or rather had them entirely at command. For my part, I am no way concerned to vindicate the earl of Shaftsbury's honour, but believe myself obliged to remark, for the more easy discovery of the truth, that the project of the cabal to render the king absolute, and introduce popery, is of unquestionable certainty. The authors just mentioned, scruple not to own it, and should they deny it, the thing would not be less true. Consequently the parliament coming to a full and exact knowledge of this design, which was only suspected before, had all the reason in the world for their fear and caution against the king and his ministers. This being granted, let the earl of Shaftsbury have been a villain, or an honest man; let him have betrayed the king's secrets, and acted only through a spirit of revenge; let his fear of the parliament be the sole motive of his engaging in the country party against the king; or let him have acted from a principle of honour and duty, in order to save the church and state, the thing itself remains the same. The good or bad qualities of the earl of Shaftsbury did not cause the parliament to have more or less reason to fear the designs of the king and his ministers. If they were prejudicial to religion and the state, as cannot be denied, the parliament had reason to take the best measures to prevent them. Why therefore are

these measures, these precautions, ascribed to Shaftsbury's malice and artifices, since there was another and more natural cause. Before the earl of Shaftsbury appeared in the party contrary to the court, the parliament had begun to take these precautions, though the court's designs were yet but suspected: they were better informed by the earl of Shaftsbury; why therefore is it supposed, that after this information, they suddenly relinquish their former motives, and act only with a view to serve as instruments of Shaftsbury's revenge? this is not even probable, and yet the authors abovementioned lose no opportunity of reproaching the earl of Shaftsbury, and ascribing solely to him all the mortifications, the king afterwards received. Besides the reader's instruction, my design, in what I have said, is to hinder such as have read, or shall read the other historians, from thinking it strange that I do not every moment exclaim against the earl of Shaftsbury's conduct, as if he were the sole author of what was done against the king; and that I content myself with saying in a word, this lord used all his interest and credit to break the measures of the king and his ministers.

Immediately after this change in the earl of Shaftsbury, the commons passed a bill, afterwards called the test act, intitled, "An act for preventing the dangers which may happen from popish recusants." This act required that all persons enjoying any office or place of trust and profit, should take the oaths of allegiance and supremacy in publick and open court, and should also receive the sacrament in some parish church, immediately after divine service; and deliver a certificate signed by the ministers and churchwardens, attested by the oaths of two credible witnesses, and put upon record: and that all persons taking the said oaths of allegiance and supremacy should likewise make and subscribe this following declaration.—"I do declare, that I do believe, that there is not any transubstantiation in the sacrament of the lord's supper, or in the elements of bread and wine, at or after the consecration thereof, by any person whatsoever."—This bill readily passed the house of commons, and after some difficulties, was also approved by the lords<sup>a</sup>. The earl of Bristol, though a papist, made a speech on this occasion, and concluded with saying,

<sup>a</sup> This bill was particularly promoted, if not invented by the earl of Shaftsbury, who resolved to strike di-

rectly at the duke of York and his friends. Echard, t. III. p. 321.

1672-3.

The test-act passes the commons. Statute b. 25 Car. II. c. 2. Echard, III. p. 321. Kennet. Burnet.

1672-3. saying, "Upon the whole matter, however the sentiments  
 " of a catholick of the church of Rome, (not of the court  
 " of Rome) may oblige me, upon scruple of conscience,  
 " to give my negative to this bill, yet as a member of a  
 " protestant parliament, my advice prudentially cannot  
 " but go along with the main scope of it, the present cir-  
 " cumstances of time, and affairs considered, and the ne-  
 " cessity of composing the disturbed minds of the people."

Another bill  
 to prevent  
 the duke of  
 York's  
 marrying  
 with a papish  
 princess.  
 Richard,  
 III. p. 323.

Two peti-  
 tions relat-  
 ing to  
 grievances.  
 Ibid.

Besides this bill there was another preparing to prevent intermarriages between protestants and papists. This tended directly to break the present negotiation of the duke of York's marriage with an archduchess of Insprach<sup>b</sup>, and to hinder him from marrying any other catholick princess. The king, in the mean while, was very uneasy, as he saw, the parliament was informed of his secret resolutions, and effectual measures were taken to prevent their execution. Wherefore he quickened the commons by several messages, to finish the money bill. But, instead of satisfying him, the commons, having provided for the security of religion, presented him two addresses of grievances, one concerning England, the other Ireland. In the first, they told the king, that they were firmly persuaded of his intention to govern according to the laws and customs of the kingdom. Yet finding that some abuses and grievances were crept into the government, they craved leave humbly to represent them to his majesty's knowledge, and to desire,

" 1. That the imposition of twelve pence per chaldron  
 " upon coals, for providing of convoys, by virtue of an  
 " order of council dated the 15th of May 1672, may  
 " be recalled, and all bonds, taken by virtue thereof can-  
 " celled.

" 2. That his majesty's proclamation of the 4th of De-  
 " cember 1672, for preventing disorders which may be  
 " committed by soldiers, and whereby the soldiers now in  
 " his majesty's service are in a manner exempted from the  
 " ordinary course of justice, may likewise be recalled.

" 3. And

<sup>b</sup> The articles of that marriage were concluded in October 1672; and, as the earl of Arlington sent word to sir William Godolphin, "upon terms somewhat incongruous as to our government here, but in substance much to his majesty's and royal highness's satisfaction." Arlington's letters, tom. II. p. 391. But

though the princess of Insprach's religion pleased the French king, yet the interest this marriage would bring with it, did not; so that he propounded the princess of Modena. R. Coke, p. 160. The duke had, before this, made his addresses to the lady Ballasis, who was a protestant. Burnet, p. 353.

“ 3. And whereas great complaints have been made out 1672-3.  
 “ of several parts of the kingdom, of divers abuses com-  
 “ mitted in quartering of soldiers, that his majesty would  
 “ be pleased to give orders to redress those abuses, and in  
 “ particular, that no soldiers be hereafter quartered in any  
 “ private houses, and that due satisfaction may be given to  
 “ the inn-keepers and victuallers where they lye, before  
 “ they remove.

“ 4. And, since the continuance of soldiers in this realm,  
 “ will necessarily produce many inconveniences to his ma-  
 “ jesty's subjects, they humbly represented it as their peti-  
 “ tion and advice, that when this present war is ended, all  
 “ the soldiers that have been raised since the last session of  
 “ parliament may be disbanded.

“ 5. That his majesty would likewise be pleased to con-  
 “ sider of the irregularities and abuses in pressing soldiers,  
 “ and give orders for the prevention thereof for the future.”

These demands show, how by degrees the court was la-  
 bouring to introduce an absolute authority: First, by a light  
 imposition, by virtue of an order of council, of twelve  
 pence upon every chaldron, or thirty six bushels of coals.  
 The tax was inconsiderable, but the consequence very great.  
 Secondly, the magistrates, in assuming the power of quar-  
 tering soldiers in private houses, easily found an opportunity  
 to gall and oppress their enemies, and such as were not well  
 inclined to the court. Thirdly, in pressing soldiers, the of-  
 ficers had room to commit many acts of injustice, by lifting  
 not the most proper persons for the service, but the rich  
 who were able to redeem themselves with money. Though  
 this practice was much used with regard to sailors, and con-  
 tinues to this day, it had never extended to soldiers, or at least  
 but on very extraordinary occasions.

The petition concerning the Irish grievances contained se- Echard,  
 veral articles, chiefly relating to religion. In one of these III. P. 324.  
 the commons desired, his majesty would be pleased to dismiss  
 out of all command, civil or military, colonel Richard Tal-  
 bot, who notoriously assumed the title of agent for the Ro-  
 man catholicks in Ireland, and forbid him all access to his  
 court. This Talbot was afterwards created duke of Tyr-  
 connel, and lord lieutenant of Ireland by James II. c.

The

c February 26. 1671, the king had  
 issued out a proclamation in Ireland,  
 whereby he granted a general licence to  
 all papists to live in corporations, exer-  
 cise trades there, and enjoy the same  
 privileges as other subjects ought to do ;

which was a greater privilege than his  
 protestant subjects had, for by their  
 charter, all who were not free of the  
 corporations could not have the benefit  
 of their privileges. R. Coke, p. 166.

1672-3.

The king's  
answer.

Id. p. 145.

Money bill  
passed.

1673.

Acts passed  
Statute b.The parlia-  
ment ad-  
journed.  
Echard.The bill in  
favour of the  
presbyteri-  
ans post-  
poned.The duke of  
York and  
lord Clifford  
resign their  
places.Burnet.  
Lord Clif-  
ford dies.  
Echard.Bafnage.  
Prince Ru-  
pert com-  
mander of  
the English  
fleet;Kennet,  
p. 323.  
Echard,  
III. p. 327.  
J. Phillips.

The king replied to these addresses, that as they consisted of so many different parts, it could not be expected he should give a present answer. But promised, that for the several particular things contained in them, he would before the next meeting take such effectual care, that no man should have reason to complain. After this the money bill passed without opposition. But, not to approve expressly the war for which the money was intended, the bill was intitled, "A supply of his majesty's extraordinary occasions,"<sup>d</sup> and a particular proviso was tacked to it, "That no papist should be capable of holding any publick employment."

Before the bill in favour of the protestant dissenters and some others were ready, the king came to the parliament the 29th of March, and passed several acts, amongst which were the money bill, the test act, and an act for a general and free pardon, but with many exceptions<sup>e</sup>. Then he adjourned the parliament to the 20th of October. If the king in his declaration for liberty of conscience had intended the ease of the protestant nonconformists, as he would have had it believed, he might have deferred the adjournment of the parliament a few days, till the bill passed in their favour was ready, or at least might have pressed the two houses to finish it. But as the papists were excluded from the benefit of this act, he showed no farther concern for the interest of the presbyterians, but adjourned the parliament before the lords had given their consent to the bill.

The test act having received the royal assent, most of the catholick officers quitted their places. The duke of York himself, who was the lord high admiral, resigned that profitable office<sup>f</sup>, and the lord Clifford that of high treasurer. He retired to his paternal estate at Chudleigh in Devonshire, where he died shortly after.

While these things passed in the parliament, preparations for the sea war were making in England and Holland with equal ardour and vast expence. The duke of York having resigned his office of lord high admiral, prince Rupert was appointed to command the fleet. Ruyter having secret intelligence, that the English fleet would not be ready so soon, put to sea with forty-two men of war, and sixteen vessels to be sunk

<sup>d</sup> The sum granted was twelve hundred thirty eight thousand, seven hundred and fifty pounds. Statutes 25 Car. II. c. 1.

<sup>e</sup> There was also an act passed, to enable the county palatine of Durham,

to send knights and burgesses to serve in parliament. Statute 25 Car. II.

<sup>f</sup> Burnet says, when the duke carried all his commissions to the king, he wept as he delivered them up, but the king shewed no concern at all, p. 352.

sunk in the Thames<sup>k</sup>. He came into the mouth of the river the 2d of May, where he found he had been misinformed, and that forty five large ships were coming to attack him. Upon this disappointment, he retired to expect the rest of his fleet at Schonevelt in Zealand. In this interval, prince Rupert sailed to meet the French fleet coming from Brest, and joined them in the channel the 16th of May. After the junction, the combined fleet consisted of one hundred and forty sail of all sorts, of which there were thirty large French ships<sup>h</sup>. The Dutch fleet had but a hundred and nine sail, <sup>Balsage.</sup> namely, fifty four large ships, fourteen frigates, twenty four fireships, eleven advice boats, and six galliots<sup>l</sup>. As I am not sufficiently versed in marine affairs to give clear ideas of sea engagements, I shall only say, that this year was signalized by three naval engagements, fought with such equal loss, that neither could justly boast of victory, though both challenged it in every battle. The first was fought near Three engagements at sea distinguished with no considerable advantage to either side. Schonevelt the 28th of May. The second off Flushing the 4th of June, but this was rather a cannonading of about four hours, after which both sides retired to their respective coasts. The third, fought the 11th of August, was the most obstinate. The English lost vice-admiral Spragg, who was drowned in changing his Ship<sup>k</sup>, and the Dutch, vice-admiral Sweers. The loss of the great ships in these three engagements was inconsiderable, but on both sides many lesser ones were either burnt or sunk. In a word, nothing decisive happened at sea this campaign, and therefore I need not be more circumstantial<sup>l</sup>.

As to what passed at land between France and the states, I shall only say, that the King of France took Maestricht in June, and the prince of Orange, Naerden, a town near Amsterdam, in September, and afterwards Bonn, the residence of Lewis and the prince of Orange. <sup>Balsage.</sup> <sup>Burnet.</sup>

g In order to stop the Canary, Bourdeaux, and Newcastle fleets from coming in. Kennet, p. 323.

h The white squadron was commanded by count d'Etrées, and the blue by sir Edward Spragg. Burchett, p. 403.

i Balsage says, it consisted of fifty men of war, twelve frigates, fourteen yachts, and twenty five fire ships. Tom. II. p. 412.

k He was forced to remove out of his ship into the St. George, but this soon after losing her mainmast, he was obliged to leave her; and as he was

going on board the Royal Charles, his barge was sunk with a cannon shot. In this last engagement, sir William Reeves and captain Heyman were also lost; and likewise captain le Neve, and captain Merryweather, both foot officers. Burchett, p. 404. Echard.

l This year sir Tobias Bridges took the island of Tabago in the West Indies, from the Dutch; who, by way of reprisals, took the island of St. Helena, but it was soon after recovered by captain Richard Munden, Burchett, p. 404.

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Lewis abandons his conquests.

dence of the elector of Cologne, in October. These two conquests, and the necessity the king of France was under to maintain the war against Spain (which had at last declared against him, besides that the emperor, and several German princes, were also upon the point of declaring for the states) obliged him to abandon all his conquests in the United Provinces, except Maastricht and Grave, where he left garrisons, after having drawn out all the rest in November.

Congress at Cologne for peace comes to nothing. Sir Thomas Osborne constituted lord high treasurer.

The duke of York marries the princess of Modena. Echard.

In the mean time, a congress was held at Cologne for peace, but with no success.

The 19th of June the King, at Buckingham's recommendation, made sir Thomas Osborn, afterwards earl of Danby, lord treasurer.

The duke of York, as I have said, had cast his eyes upon an archduchess of Inspruch, a branch of the house of Austria.

But the empress dying at that time, the emperor married this princess himself. The duke was therefore obliged to make his addresses elsewhere, and as his zeal for the popish religion allowed him not to marry a protestant princess, he made choice of Maria d'Este, sister to Francis duke of Modena, and the marriage was immediately concluded and solemnized by his proxy Henry Mordaunt earl of Peterborough. The king of France greatly contributed to the marriage, by declaring the young princess, then but fifteen years of age, an adoptive daughter of France, and by engaging to pay her portion.

As the duke's marriage with a catholick princess could not but be very disagreeable to the English, the court easily foresaw, that the parliament, which was to meet the 20th of October, would endeavour to oppose it. There were several bills ready, which could be finished in a few days; and as the parliament was only adjourned, the court feared they would begin with compleating these bills, two of which the court was desirous to put a stop to, namely, the bill against intermarriages between protestants and papists, and that for the ease of the protestant dissenters. Wherefore the king easily resolved to prorogue the parliament. The first thing the commons did, after their meeting, was, to present an address to the king, to desire that the duke's marriage with the princess of Modena might not be consummated, and that he might not be married to any but a protestant. Upon this, the king prorogued the parliament to the 27th of the same month, to defeat the two bills above-mentioned, and some others not more agreeable to him.

The commons address against the duke's marriage. Kennet. Echard. Burnet. The parliament prorogued.

The 27th of October the king coming to the parliament with the usual formalities, made a speech to both houses, in which he told them,—"That having consented to a negotiation at Cologne, he hoped to have welcomed them with an honourable peace; but the Dutch had disappointed him in that expectation, and treated his ambassadors at Cologne with the contempt of conquerors, and not as might have been expected from men in their condition. That this obliged him to move them again for a supply; the safety and honour of the nation necessarily requiring it; that it must be proportionable to the occasion, and if he had it not speedily, the mischief would be irreparable in his preparations for the next spring."—He told them, That he was steady in maintaining all the professions and promises made to them concerning religion and property; and should be very ready to give them fresh instances of his zeal for preserving the established religion and laws, as often as any occasion shall require. In the last place, he commended to their consideration and care, the debt he owed the goldsmiths, in which very many others of his good subjects were involved."

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The king's  
speech to the  
parliament,  
Echard,

III. p. 333.

This debt to the goldsmiths was contracted by the king when he shut up the exchequer, and amounted to more than two millions sterling. Thus the king, after a seizure of other mens property, by a pure act of authority, pretended, it belonged to the parliament to make reparation, on account of the application of the money to a war, of which he had not vouchsafed to communicate the design to them. This was the hardest case that had for a long time happened in England. For, on one hand, it was a melancholy thing to see so many families ruined, in support of an ex-peace which ought to have been common to the whole nation. But on the other hand, to pay this debt, was to establish a precedent of a terrible consequence, and authorise the king and his successors to employ the same, or the like methods, for raising of money, without consent of parliament. As for the twelve hundred and sixty thousand pounds granted the king for his extraordinary occasions in the last session, he believed, that sum ought not to be employed in discharging this debt, nor even in maintaining the Dutch war, since a new supply was demanded for that purpose.

After the king had ended his speech, the chancellor enlarged with great eloquence upon all the points touched by the king. But his speech made little impression upon the

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commons. They were no sooner returned to their house, but instead of voting the king thanks for his speech, they adjourned themselves to the 30th of the month. The same day the king sent them his answer to their address concerning the duke of York's marriage, the substance of which

The king's answer relating to the duke's marriage. Echard, III. p. 335.

was,—"That he perceived the house of commons had wanted a full information of this matter, the marriage not being barely intended, but compleated, according to the forms used amongst princes, and by his royal consent and authority: nor could he in the least suppose it disagreeable to the house of commons, his royal highness having been, in the view of the world, for several months, engaged in a treaty of marriage with another catholic prince, and yet a parliament held during the time, and not the least exception taken at it." The house was by no means pleased with this answer; and therefore resolved to present a second address, with their reasons against the marriage. The same day it was voted, that a bill should be prepared for a general test between protestants and papists, that is to say, an oath which should serve to distinguish protestants from papists, with this clause, "That they who refused to take it should be incapable of bearing any office civil or military, or to sit in parliament, or to come within five miles of the court."

A bill for a general test. Id. p. 336.

Vote of the commons to grant no more supplies to the king. Ibid.

The 31st of October the commons took the king's speech into consideration, and after a serious debate in a grand committee, came to the following resolution, "That the house considering the present condition of the nation, will not take into any farther debate, the consideration of any aid, or supply, or charge upon the subject, before the time of payment of the eighteen months assessment granted by a late act of parliament, intituled, An act for raising the sum of twelve hundred thirty eight thousand, seven hundred and fifty pounds, be expired; except it shall appear, that the obstinacy of the Dutch shall render it necessary; nor before this kingdom be effectually secured from popery, and popish counsellors, and the other present grievances be redressed."

Petition for a general fast.

The king, as may well be imagined, was extremely offended with this resolution, and the more as it was followed by an address for a general fast, to be observed throughout the whole kingdom, which intimated to the people, that the kingdom was in great danger. Two days after, the house in a body waited on the king with a second address against the duke of York's marriage, in which, after many com-

plements, they represented to him,—“ 1. That if this  
 “ match do proceed, it will be a means to disquiet the  
 “ minds of his protestant subjects at home; and to fill them  
 “ with endless jealousies and discontents; and will bring  
 “ his majesty into such alliances abroad, as will prove highly  
 “ prejudicial, if not destructive to the interests of the very  
 “ protestant religion itself. 2. They find by sad experience,  
 “ that such marriages had increased and encouraged popery  
 “ in the kingdom, and had given opportunity to priests and  
 “ jesuits, to propagate their opinions, and seduce great  
 “ numbers of his majesty’s subjects. 3. They do already  
 “ observe, how much the party is animated with the hopes  
 “ of this match, which was lately discouraged by his ma-  
 “ jesty’s gracious concession in the last meeting of the par-  
 “ liament. 4. They greatly fear this may be an occasion  
 “ to lessen the affections of the people to his royal highness,  
 “ who is so nearly related to the crown, and whose honour  
 “ and esteem they desire may always be entirely preserved.  
 “ 5. That for another age more at least, this kingdom will  
 “ be under the continual apprehensions of the growth of  
 “ popery, and the danger of the protestant religion. Lastly,  
 “ they considered, that this princess having so near a rela-  
 “ tion and kindred to many eminent persons of the court of  
 “ Rome, may give them great opportunities to promote their  
 “ designs, and carry on their practices here, and by the  
 “ same means penetrate into his majesty’s most secret coun-  
 “ sels, and more easily discover the state of the whole king-  
 “ dom. And finding by the opinions of very learned men,  
 “ that it is generally admitted, that such treaties and con-  
 “ tracts by proxies are dissolvable, of which there are sever-  
 “ al instances to be produced, they do in all humility be-  
 “ seech his majesty, to put a stop to the consummation of  
 “ this intended marriage. And this they do the more im-  
 “ portunately desire, because they have not, as yet, the  
 “ happiness to see any issue of his majesty, that might suc-  
 “ ceed in the government of his kingdom.”—To this  
 “ address the king briefly replied, “ That it was a matter he  
 “ would take into his present consideration, and would  
 “ speedily return an answer.” After which the commons  
 “ proceeded farther, and voted the standing army a grievance,  
 “ and accordingly, prepared an address to be presented to his  
 “ majesty, shewing, “ That the standing army was a grie-  
 “ vance, and a burthen to the nation.”

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Address a-  
 gainst the  
 Duke of  
 York's  
 marriage.  
 Ibid.

Vote against  
 a standing  
 army.  
 Echard,  
 III. p. 337.

But the 4th of November, the day on which the com-  
 mons were to present their address, the king came unex-  
 pectedly

1673. pectedly to the house of peers, and sent for the commons. It happened that the speaker and the usher of the black rod met both at the door of the house of commons, but, as the speaker was within the house, the door was immediately shut against the usher, who came with the king's message. The speaker was forced into the chair, and while the usher continued knocking at the door; the house voted, "That the alliance with France was a grievance. 2. That the evil counsellors about the king were a grievance. And, 3. That the duke of Lauderdale was a grievance, and not fit to be trusted or employed in any office or place of trust." Upon which there was a general cry, "to the question, to the question!" But, the black rod knocking earnestly at the door, the speaker leaped out of the chair, and the house rose in great confusion. When the commons came to the house of lords, the king made a short speech to both houses, in which he represented the great advantages which the enemy would reap from the least appearance of a difference between him and his parliament.—He told them, he would not be wanting to let all his subjects see, "That no care should be greater than his own in the effectual suppressing of popery." He then prorogued the parliament to the 7th day of January following, and thus put an end to the twelfth session of this long parliament, which had continued but nine days.

Other votes contrary to the king.

The parliament prorogued.

Sir Heneage Finch succeeds Shaftsbury. Kennet. Echard.

Proclamation against papists. Jan. 14.

Consummation of the duke's marriage.

Immediately after the prorogation of the parliament, the king took the great seal from the earl of Shaftsbury, and gave it to sir Heneage Finch<sup>a</sup>, with the title of lord keeper. Soon after, the king ordered that no person who was a Roman catholic, or reputed to be so, should presume to come near his person or court. He likewise published a proclamation for the rigorous execution of the laws against papists. This was the eighth of the kind since his restoration, and executed as the other seven.

But the proclamation was not capable to remove the fears occasioned by the duke of York's marriage with the princess of Modena, which was consummated the 21st of November, on the day of her arrival in England with the duchess's mother<sup>a</sup>.

1673-4. The parliament meeting the 7th of January, the king represented to both houses,—“That no proposal of peace from

The king's speech to the parliament. Echard.

<sup>a</sup> m Nephew of sir John Finch, lord keeper in king Charles the 1st's reign. Kennet, p. 324.

<sup>a</sup> They were married at Dover by Nathanael Crew, bishop of Oxford.—This year died Oliver St. John, so often mentioned in the reign of king Charles I.

1673-4

“ from the Dutch had been yet offered with an intent to conclude, but only to amuse : that therefore, the way to a good peace, was to set out a good fleet, which there was time enough to do effectually, if the supply was not delayed. That a speedy, a proportionable, and above all, a chearful aid, was now more necessary than ever : he once more put them in mind of his debt to the goldsmiths : and then told them, that his alliance with France had been very strangely misrepresented to them, as if there were certain secret articles of dangerous consequence ; but he would make no difficulty of letting the treaties, and all the articles of them, without any the least reserve, be seen by a small committee of both houses, who might report the true scope of them.”

Then the lord keeper enlarged upon all these points with excessive flattery to the king, for his extraordinary care to maintain the laws and religion, and that this might not be doubted, he alledged for proof, the assurances given by the king. Above all, he magnified the king's offer, of letting them see the treaties with France, as a condescension which could not be sufficiently acknowledged, but by an extraordinary supply. In a word, the king's and the keeper's speeches were founded upon this principle, that the war with the states was just and necessary, and consequently to be vigorously maintained, in order to an honourable peace.

It does not appear, that the two houses much regarded the king's offer of laying before them his treaties with France, since it was in his power to show them what he pleased, and suppress the rest. The king perceived therefore, into what difficulties the cabal had thrown him by their violent counsels. He had lost the confidence of his people, and neither his words nor his promises were any longer relied on. It was in vain for him to protest his zeal for the protestant religion, and the liberties of his subjects : these protestations could not obliterate his past proceedings, which gave but too just cause to suspect his sincerity. Wherefore, the parliament, without regarding his words, considered his actions, and laboured to take effectual measures, to prevent the execution of the court's designs, which were but too manifest. There were many things concerning which they openly expressed their fear and discontent. 1. The growth of pope's power by publicly encouraged by the court. 2. The exorbitant power of France, which in the end could not but prove prejudicial to England. 3. The Dutch war, undertaken directly contrary to the interest of England, and for which

Speech of  
the keeper  
of the great  
seal.

The king in  
great diffi-  
culties.

The parlia-  
ment en-  
raged against  
the court.  
The caucis.

1673-4. However the king was incessantly demanding supplies, on a supposition of its being just and necessary, though he had alledged no lawful cause for it. 4. The management of affairs in Ireland, where the act of establishment was openly trampled upon, and papists continually advanced or encouraged. 5. The king's proceedings in England, which were clear evidences of his principles and designs; namely, his raising a land army without any necessity; his granting liberty of conscience by his sole authority; his shutting up the exchequer; his dispensing with acts of parliament; his making a strict alliance with France, when he should rather have used his endeavours to oppose the increase of her greatness. 6. The open profession of the popish religion by the duke of York, and his marriage with a popish princess, authorised by the king notwithstanding the remonstrances of the parliament. 7. The three ministers, still employed by the king, namely, Arlington, Buckingham, and Lauderdale, all three of the most arbitrary principles, plainly showed, it was not for the good of the kingdom, that the king used their counsels. These were too real causes of complaint, to be silenced by the king's general protestation on every occasion to maintain the laws and religion. Something more substantial than words was necessary to dispel the suspicions and fears of the people and parliament. Wherefore the parliament resolved to restore the government to its natural state. This very parliament which had considered as execrable rebels, the opposers of Charles I's usurpations, was obliged to pursue the same measures against the encroachments of Charles II. as were begun with by the parliament of 1640. If this produced not a civil war, it is to be ascribed to the weakness, fears, or, perhaps, to the abilities of the king, who, less obstinate, and more discerning than his father, did not think proper to abandon himself entirely to the counsels of his ministers, and particularly of the duke his brother. For, certainly, as the parliament stood affected, an extreme confusion, if not a second and more bloody civil war must have been the consequence of the king's attachment to his principles and designs. Nothing is more proper to confirm this conjecture, than the revolution in the reign of James II. That prince, naturally more furious and obstinate than his brother, resolving to run all hazards, found the English, in their turns, as resolute to venture all in the defence of their laws, religion, and liberty.

A dress of  
the lords for  
the removal  
of papists.  
Kennet.

In order to proceed according to this plan, the house of lords presented an address to the king, praying him to issue  
out

out his royal proclamation, requiring all papists and reputed papists to remove out of London and Westminster, during the session of the parliament. Accordingly his majesty without delay published a proclamation, dated the 14th of January, declaring, "That as he had always manifested his zeal for the preservation of the true religion established in this kingdom, and to hinder the growth and increase of popery, so he was now ready, upon this occasion, to prevent all fears and dangers that might arise by the course of persons of that profession, in or near the cities of London and Westminster, &c." This pretended zeal had showed itself but in eight proclamations, already published by him at several times against the papists, the negligent execution of which is very visible from the number. When the king's affectation of boasting continually his zeal for the protestant religion and against popery is considered, and when on the other hand it is remembered, that he had abjured the protestant religion, and had a chapel secretly in his palace, where he daily heard mass, and sometimes even communicated the same day at his protestant and popish chapels, one knows not what to think of such monstrous dissimulation.

16734.  
A proclamation upon it.  
Ibid.  
Echard,  
III. p. 345.

The next day, both houses joined in an address to the king for a general fast, to implore God's blessing against the efforts of popery, &c. Nothing was more offensive to the king than such addresses, which plainly implied, that religion was in danger, and through his fault; but he durst not refuse them, and therefore the 4th of February was appointed for a day of humiliation.

Address of both houses for a fast.  
Ibid.

At last, the commons taking the king's last speech into consideration, voted, "That the house will in the first place proceed to have their grievances effectually redressed, the protestant religion, their liberties and properties effectually secured, and to suppress popery, and remove all persons and counsellors popishly affected, or otherways obnoxious or dangerous to the government." Then they presented an address to the king "—That the militia of the city of London, and county of Middlesex, might be in readiness at an hour's warning, and the militia of all other counties of England at a day's warning, for suppressing of all tumultuous insurrections which might be occasioned by papists or any other malecontented persons." The king answered to this address, "That he would take a special care, as well for the preservation of their persons, as of their liberties and properties."

A mortifying vote to the king.  
Id. p. 346.

An address.

His answer.

1673-4.

This address was only to insinuate to the people, that the kingdom was in danger, and to justify beforehand the measures intended to be taken by the house, against those who were considered as the principal authors of the danger, I mean, the members of the cabal. By the death of lord Clifford, and the change in the earl of Shaftsbury, this council was reduced to three, namely, the dukes of Buckingham and Lauderdale, and the earl of Arlington. The house began with the duke of Lauderdale, and unanimously voted,

Vote against

the duke of

Lauderdale.

Ibid.

Burnet.

“That an address should be presented to his majesty, to remove the duke of Lauderdale from all his employments, and from his presence and councils for ever, being a person obnoxious and dangerous to the government.”

The duke of Buckingham; while the commons were debating upon the heads of his accusation, requested to be heard before their house, which was granted. But as his speech, in vindication of himself, was full of ambiguities, the house referred his examination to the next day, and drew up some queries, to which he was required to give distinct answers. As these questions follow from what had passed, and tend to illustrate the history, I think myself obliged to insert them, without adding his answers, the greatest part of which left things as obscure as they were before.

Jan. 13.

Burnet.

Questions  
proposed to  
the duke of  
Buckingham.

Echard,

III. p. 347.

1. Whether any persons declared to his grace any ill advice or purposes against the liberties and privileges of the house of commons: or to alter the government; who they were, and what they advised?

2. Some words fell from your grace yesterday, wherein you were pleased to say, you had got nothing, but others had gotten three, four, or five hundred thousand pounds; who were they that had gotten these sums, and by what means?

His answer to this was,——That he was not at all acquainted by what means they got so much: that the duke of Ormond had got five hundred thousand pounds, which was upon record; that lord Arlington had not got so much, but had got a great deal.

3. By whose advice was the army raised, and monsieur Schomberg made general?

4. By

o The first day of his being before the house, he fell into such disorder, that he pretended he was taken ill, and desired to be admitted again. Next day he was more composed. He justified his own designs, laying all the ill counsels upon others, chiefly the lord Arlington, intimating plainly, that the root of all errors was in the king and

duke. He said, hunting was a good diversion, but if a man would hunt with a brace of lobsters, he would have but ill sport. He had applied this saying to prince Rupert and lord Arlington; but now it was understood to go higher. Burnet, p. 367.

p This army was to make a descent into Holland. See a little lower.

1673-4

4. By whose advice was this army brought up to awe the debates and resolutions of the house of commons?

5. Who made the triple alliance?

6. Who made the first treaty with France, by which the triple alliance was broken?

He, answered, I made it.

7. By whose advice was the exchequer shut up, and the order of payment there broken?

8. Who advised the declaration in matters of religion?

9. Who advised the attacking the Smyrna fleet before the war was proclaimed?

10. By whose advice was the second treaty at Utrecht?

11. By what council was the war begun without the parliament, and thereupon the parliament prorogued.

12. By whose advice was the parliament prorogued the 4th of November last?

I did not think fit to add all the duke's answers, because it is not just to prejudice the reader against those whom the duke of Buckingham accused to clear himself. But the questions are very proper to show, what it was that the commons blamed in the conduct of the king and the cabal. They were so little satisfied with the duke's answers, that they passed the same vote against him as against Lauderdale.

The commons, it seems, principally intended to ruin the earl of Arlington, since, notwithstanding his defence before the house, they drew up an impeachment against him, consisting of several articles. But as the impeachment was not pursued, I do not think it just to insert the articles, since I cannot also insert what the earl could urge in his defence. I shall therefore only say, that the impeachment chiefly concerned the open protection, granted by the earl of Arlington, as secretary, to the catholicks; and some actions tending to promote arbitrary power, or his own private interest.

After this, the commons proceeded to prepare a bill for a general test, by which every person refusing to take it, should be made incapable to enjoy any office civil or military, to sit in either house of parliament, or to come within five miles of the court. The test was in these words:

“ I

q He said, it was lord Arlington. See Echard, tom. III. p. 348.

r The earl excused himself, but without blaming the king. This had so good an effect, that he was acquitted,

though by a small majority. But the care he took to preserve himself, lost him his high favour with the king. Burnet, p. 366.

A bill for a test. Id. p. 350.

1673-4.

The test.

“ I do solemnly, from my heart, and in the presence of almighty God profess, testify and declare, that I do not believe in my conscience that the church of Rome is the only catholick and universal church of Christ, out of which there is no salvation; or that the pope hath any jurisdiction or supremacy over the catholick church in general, or over myself in particular; or that it belongs to the said church of Rome alone to judge of the true sense and interpretation of the holy scriptures; or that in the holy sacrament of the eucharist, there is made a perfect change of the whole substance of the bread into Christ's body, or of the whole substance of the wine into Christ's blood, which change the said church of Rome calleth Transubstantiation; or that the virgin Mary, or any other saint ought to be worshipped or prayed unto: and all these aforesaid doctrines and positions I do renounce and disclaim, as false and erroneous, and contrary to God's word, and the christian religion.” It was not without reason that this oath was called the test or trial, since it was as a touch-stone to distinguish the papists from the protestants, there being no catholick who could in conscience take this oath. The king had already given his consent to an act which imposed much the same oath. But that was only for those who were in office or employment, whereas this was universal, and might be required of all suspected persons. But, before the bill was ready, the king prorogued the parliament, and so defeated both this, and several other bills tending to the same end.

The states  
make propo-  
sals to the  
king for  
peace.  
Bainage,  
t. II. p. 458.  
Echard.  
Burnet.

The king  
begins to  
all in his  
pretensions.

Since the states general had perceived that the parliament approved not of the war the king was making against them, they had never ceased to solicit the king to a separate peace<sup>s</sup>, and had offered him whatever he could reasonably expect, in supposing he designed the advantage of his kingdom. But as that was not the case, it is plain, their offers could not satisfy him. To content him, the commonwealth of the seven provinces should have been entirely destroyed, and the king of France put in possession. But as he durst not openly avow this demand, he pretended to find in the offers of the states, only am biguous or insolent propositions, and from thence took occasion to reject them. But  
affairs

<sup>s</sup> The states, says Burnet, committed a great error in desiring this peace, without desiring at the same time, that king Charles should enter into the alliance for reducing the French to the

terms of the triple alliance. But the prince of Orange thought, that if he could once separate the king from his alliance with France, the other point would soon be brought about, p. 366.

affairs afterwards took a turn which obliged him to come into other measures. The victories he hoped for at Sea with the assistance of France, came to nothing. If his fleet was not beaten in the four late engagements, at least, it had gained no advantage over that of the states. He had expected to give a mortal wound to the states by a descent into Holland, and for that purpose had sent for Schomberg to head his forces. But that general had been unsuccessful in his expedition, and obliged to return without any thing done. The king of France, as I said, had been forced to abandon his conquests in Holland, to defend himself against the new enemies raised him by the states. In short, the parliament discovering the secret intent of this war, not only refused any farther supplies, but were preparing to bring the advisers to justice. On the other hand, the king had managed the money granted by parliament, and that of the exchequer, with so little oeconomy, that he had got a shilling left. His profusion had been so excessive, that it appeared, from orders countersigned by the earl of Arlington secretary of state, that he had given away above three millions sterling, to several private persons. In a word, he did not know which way to turn himself for the continuance of the war, as he saw his parliament little inclined to furnish the means. All these reasons were very capable to induce him to listen to the offers made him by the states. He therefore began by degrees, to discover, that he should not be averse to a reasonable peace, provided the states would have such regard to his honour as he had room to expect. When there was no other difficulty, the states writ him a very submissive letter, and at the same time sent full powers to the marquis del Fresno, the Spanish ambassador at London, to conclude a peace in their name, on the conditions already offered but rejected by the king, on pretence they were only designed to amuse him. These proposals were so reasonable, and offered in so solemn a manner, that they could not be rejected without alarming the whole kingdom, and confirming the suspicions, which were but too general, that the war was not designed for the advantage of the people. Besides, the king's affairs required a speedy peace.

The states  
commission  
the Spanish  
ambassador  
at London  
to make a  
peace in  
their name.  
Basinge.  
Temple.  
Echard.  
Kennet.

### Presently

t Lewis XIV. strenuously opposed the conclusion of this peace, and offered king Charles five millions and a half, with forty men of war, if he would break the negotiations. Basinge, tom. II. p. 496.—After the

signing of the peace, king Charles told the French ambassador, that he had been doing a thing which went more against his heart, than the losing of his right hand. Burget. p. 367.

1673-4.

The king  
asks advice  
of the par-  
liament.  
Echard,  
III. p. 35<sup>1</sup>.  
Peace  
concluded.

The com-  
mons go on  
with exa-  
mining into  
gr. evan-  
ces.  
Echard.

The king  
acquaints  
the parlia-  
ment with  
the peace.  
Kennet,  
Echard.

He desires a  
sup-  
ply.

Presently after the receipt of the states letter, the king came to the parliament the 24th of January, and communicated to both houses the offers from the Dutch, desiring their advice on the affair. They answered that it was their opinion, his majesty should proceed in a treaty with the states, in order to a speedy peace. From that time, all difficulties relating to the peace were removed, in the conferences between the marquis del Fresno, and the king's commissioners<sup>u</sup>, and the treaty was concluded in a fortnight<sup>v</sup>.

In this short interval, the commons proceeded to take into consideration the grievances of the nation. They insisted chiefly upon keeping an army composed of regular troops, and after a vote that it was a grievance to the kingdom, they resolved to address the king for disbanding all forces raised since the year 1663. The examination of this affair gradually led them to that of the horse and foot guards, established by the king without the concurrence or approbation of the parliament. It was found, that they were of vast charge to the king and kingdom: that they were a standing army in disguise, which might be easily augmented: that guards were only in use in arbitrary governments: that they were altogether useless, as appeared from the king's daily trusting his person to his people without a guard.

The debate was interrupted by the king's coming to the house of peers, the 11th of February. The commons being sent for, the king communicated to both houses, that he had signed the peace with the Dutch. He told them moreover, in answer to their address concerning the forces, that he had given orders for disbanding even more than were desired, and for sending back the Irish regiments. He added, that he must needs acquaint them, that there was a great want of capital ships, and he should be glad to be equal in number with his neighbours: he hoped therefore to have their assistance on such an occasion, to preserve the honour and safety of the nation. The houses thanked him for the peace he had made, and for his gracious answer to their address.

This however was not capable to induce the commons to suspend their debates upon the grievances. They voted,  
“ that

<sup>u</sup> They were the lord keeper Finch, the lord treasurer Osborn; the dukes of Monmouth and Ormond, the earl of Arlington, and Henry Coventry,

Esq; secretaries of state. Collect. of treat. tom. III. p. 276.

<sup>v</sup> It was concluded in three days. See Temple's lett. p. 195.

“ that a committee should be appointed to inspect the laws lately made in Scotland, whereby an army is authorised to march into England or Ireland, by the sole direction of the council of Scotland; and peruse such other laws as tend to the breach of the union of the two nations.”

1673-4.  
Grievances relating to Scotland and Ireland.  
Echard.

They likewise in a grand committee resolved, that a committee should be appointed to inspect the state and condition of Ireland, more especially with regard to religion, the militia, and the forces of that kingdom. They moreover appointed another committee,—“ To inspect the law, and to consider how the king might commit any subject by his immediate warrant as the laws then stood; and to report their opinions;” and further, “ they were to consider how the law then stood touching the committing of persons by the council table, and to report the same.” Upon this occasion they ordered a particular bill to be brought in, concerning writs of Habeas Corpus, which was read three times, and passed the house. A bill was likewise ordered to be brought in for a test to be taken by the members of both houses.

The Habeas Corpus.

It was a great mortification to the king to see the commons so rigorously examining his conduct; for all their resolutions, in this session, pointed to the former proceedings of the court. It may well be thought, that, as the project of the cabal was to render the king absolute, and advance the interests of popery, the king and his ministers had not been very scrupulous to gain first one point, and then another, in order to establish precedents, and put the king in possession of arbitrary power, in things which were not equally obvious to all. As the commons proceeded, it appeared plainly, they were resolved not to omit any point. The king, therefore, to defeat their designs, made use of his constant method, and coming to the parliament the 24th of February, prorogued it to the 10th of November following, before any bill was ready for the royal assent. Thus ended the 13th session of this parliament, after sitting six weeks and three days. The prorogation was afterwards continued, and lasted about fourteen months.

The king mortified.

Prorogues the parliament.  
Echard, III. p. 353.

The peace was proclaimed the 28th of February in London, with much greater demonstrations of joy and satisfaction from the people, than the war had been two years before. The sole difference between this peace and that of Breda was, that the ships and vessels belonging to the states, whether single or in fleets, should strike the flag, and

The peace is proclaimed.  
Collect. of treaties.  
III. p. 277.

1673-4. and lower their topsail to those of England<sup>7</sup>, whether single or in fleets, provided they carried the king's flag. Moreover the states were to pay the king eight hundred thousand patacoons at four payments, namely, two hundred thousand on the exchange of the ratifications, and the rest at three payments, within the space of three years. Thus the people of England discharged the expence of the war, and the king alone reaped the benefit.<sup>7</sup>

1674.

The king  
abandons  
himself to  
his pleasures.  
Burnet.

Governed by  
his mistress.  
Burnet.

Charles offers his  
mediation to  
Lewis, and  
is accepted.  
Temple's  
mem.  
Echard,  
III. p. 437.  
Burnet.

The king finding himself freed from the cares of war, and the uneasinesses caused by the parliament, abandoned himself entirely to a soft, indolent, and effeminate life. The duchess of Orleans his sister had brought him, at their interview at Dover, the daughter of a gentleman of Bretagne, called de Queroualle, who commanded the king's affection beyond any of his mistresses, and was created duchess of Portsmouth. But this particular fondness for her did not prevent his having many others, by whom he had several children, educated with no small expence. In a word, not to dwell on what passed at a court so corrupted as that of Charles II. I shall only say, that the king's mistresses had ingrossed the whole credit of the court, and that he could refuse them nothing.

It does not appear, that France complained much of Charles for deserting her, in making a separate peace with the Dutch. This caused several politicians to think, that the king of France had given a full consent to the peace, in order to make Charles mediator between him and his enemies, whose number was greatly increased, since the last year. This suspicion is farther confirmed by Charles's offer of his mediation to the king of France, soon after his peace with the states, which he readily accepted, without the

<sup>7</sup> From cape Flaisierre, to point Van Staten in Norway. Collect. of treat. tom. III. p. 277.

<sup>y</sup> This peace was signed at Westminster, Feb. 9. See collect. of treat. tom. III. p. 280. — Burnet says, lord Arlington pressed the Spanish minister, to prevail with the states, and the prince of Orange, to get a proposition for a peace to be set on foot. And that it might have some shew of a peace both begged and bought, he proposed, that a sum of money should be offered the king by the states, which should be made over by him to the

prince, for the payment of the debt he owed him. Rouvigny, the French ambassador, passed the king much to give his parliament all satisfaction in points of religion. The king answered him, if it was not for his brother's folly, (*la sottise de mon frere*.) he would get out of all difficulties. In conclusion, the prince of Orange brought the states to make applications to the king, in the style of those who begged peace, though it was visible they could have forced it, with the offer of two or three hundred thousand pounds for the expence of the war, p. 366, 367.

the least resentment of what had been lately transacted. 1674-  
 When the king was assured that his mediation was accepted by France, he sent sir William Temple into Holland to offer the same to the states. As their towns and provinces were now recovered, except Maestricht, and Grave, they passionately wished for peace. The only obstacle was, the interest of their allies, the emperor, the empire, and Spain, who having engaged in the war for their sake, could not be abandoned without extreme ingratitude. The only way to please them, was to bring things to a treaty, where they might find their satisfaction. So, without being much solicited, they accepted the king of England's mediation. It is true, France and the allies had already accepted that of the king of Sweden, who had used his endeavours to procure a peace by his ambassadors at the congress of Cologne. But since that congress was broken off by the forcible carrying away of prince William of Furtemberg, the Swede had rendered himself suspected to the allies, by discovering too much partiality to France. So the states were not displeased to find another mediator to renew the conferences, though they had no great reason to confide in the king of England. But they were desirous of peace, and such was the situation of the affairs of Europe, that another mediator was not easy to be found. Wherefore, it was more advantageous to accept him, than to have none at all, and lose the hope of ending the war. However this be, they so strongly solicited all the princes their allies, that at last they were induced to accept the king of England's mediation. But there was a wide difference between agreeing upon a mediator, and concluding a peace. So many various interests to adjust, made it easy to foresee, that peace would be a very difficult work, besides the accidents which the continuation of the war might produce, and which would be too apt to alter the pretensions of the two parties. For instance, whilst a mediation of peace was talked of at the Hague, a battle was fought at Senef, which indeed decided nothing, but might have had great consequences, if victory had entirely declared for one of the armies.

July.  
 Temple's  
 letters.  
 The states  
 accept it.  
 Basnage.

Basnage.

and bring  
 their allies to  
 do the same.

August.  
 Temple.  
 Burnet.

<sup>2</sup> He was a prince of the empire, and was employed by Lewis XIV. to sow discord between the princes of Germany. He and his brother were the chief instruments in promoting the

Dutch war; and were the persons that persuaded the archbishop of Cologne to let the French forces march through his diocess. Basnage, tom. II. p. 484.

1674. armies<sup>a</sup>. Moreover the prince of Orange took Grave in October.

King Charles  
a pensioner  
of France.  
Leed's lett.  
Echard,  
III. p. 363,  
364.

Kennet,  
p. 327.  
Echard.

The king  
refuses to  
dissolve the  
parliament.  
Echard.

May.  
Echard,  
III. p. 364.

Preferments  
and remo-  
vals at court.  
Kennet,  
p. 329.

I cannot forbear taking notice of a thing which became more publick afterwards, and of which I shall have occasion to speak more amply, namely, that, at the very time Charles performed the office of a mediator, he received from France an annual pension of one hundred thousand pounds sterling. By this we may judge of his impartiality. Moreover it appears in Coleman's letters, the duke of York's secretary<sup>b</sup>, some of which were writ this year, that there was a close union between the king of France and the duke of York, and that the latter entirely relied on the assistance of France for the execution of the project formed in favour of the English papists. This manifestly shews, that Charles had not desisted from his first designs, and only waited a favourable opportunity to execute them, when France, discharged from the burden of the present war, should be in a condition to grant him the necessary assistance.

During these transactions, the papists of England were labouring to prevail with the king to dissolve a parliament which was so opposite to them; this appears also in Coleman's letters. But the king did not think proper to take such a step so soon, which might have done him great prejudice, by exasperating the people, and from which he could reap no other advantage, than to procure some ease for the papists. But this was not his principal view. For though he was a disguised papist, he had so little zeal for religion, that he was by no means inclined to hazard his temporal interests, in complaisance to the papists. He published therefore, on the contrary, a proclamation, to stifle the false report that the parliament would quickly be dissolved, and to satisfy the people that the thing had never come under deliberation.

To finish the events of this year 1674, I shall only take notice of some particulars which may be of use for the sequel. In September, the earl of Arlington was made lord chamberlain of the king's household, and sir Joseph Williamson, who had been plenipotentiary at the congress of Cologne,

<sup>a</sup> The prince of Orange, though but twenty three years old, highly signalized himself in this battle. Temple's mem. p. 387.

<sup>b</sup> He was secretary to the dukes. He was a clergyman's son, but was early caught by the Jesuits, and bred among them. He was a bold man, had

a great easiness in writing in several languages, and writ many long letters, being the chief correspondent the party had in England. He understood the art of managing controversies, particularly that of the authority of the church. Burnet, p. 368.

Cologne, was made secretary in his room. On the other hand the duke of Buckingham, who had been the king's principal favourite, lost his favour and credit to such a degree, that the king, without any ceremony, gave him a publick affront, in declaring his office of chancellor of Cambridge vacant, and in influencing the election in favour of his natural son the duke of Monmouth. 1674.

The earl of Clarendon died this year at Roan in the 67th year of his age, after a seven years exile; during which he digested the memoirs he had collected to compose his history of the rebellion and civil wars of England. The famous John Milton, author of the poem called *Paradise lost*, died also this year. Deaths of the earl of Clarendon, and the poet Milton.

Of the five members of the cabal, only the earl of Arlington, and the duke of Lauderdale remained about the king. The first finding himself in a very disagreeable situation, since the parliament had so openly declared against him, believed, he had no other way to support himself, than by taking, or pretending to take measures opposite to those of which the cabal was accused. Accordingly he was the first who advised the king to call in his declaration for liberty of conscience, and when he saw the parliament acting with such vigour to break the measures of the court, he affected an extraordinary zeal for the protestant religion. He was constant at sermons and sacraments, and carried his dissimulation so far, as to persecute the papists, whom he had till now protected. Some even say, he advised the king to remove the duke of York from his court. But if, by these proceedings, he gained any favour with the people, he lost more with the king and duke, who no longer confided in him as before. The king had particularly shewn, he was displeased with him, by giving the treasurer's staff to sir Thomas Osborne, afterwards earl of Danby, which had ever been Arlington's ambition. This rendered the two earls mortal enemies to each other, and caused them to labour one another's destruction. The earl of Arlington, seeing that his enemy daily gained ground upon him, imagined he might recover his former credit and favour by performing a signal service for the king; which was to engage the prince of Orange to enter into the measures of the English court, for procuring such a peace as was desired by the courts of France and England. As his

1674-5. The earl of Arlington in disgrace. Echard, III. p. 369. Osborne made lord treasurer. Temple's mem. p. 394. Arlington's successful negotiation at the Hague; Temple.

Vol. XI. D d coun-

c He was Latin secretary to the long parliament, and afterwards to Oliver Cromwell himself.

1674-5. countess was Mr. Odyck's sister, who was much in the prince's confidence, he imagined, that with the assistance of Odyck, and his other relations and friends, it would be easy to succeed in the scheme he had projected. Wherefore, he obtained the king's leave to go to the Hague to execute his design. But as he was ignorant of the temper, humour and character of the prince of Orange, he took the very course to gain him which he should have avoided. He endeavoured to vindicate all the proceedings of the cabal and English court, by reasons so weak and opposite to the truth, that he seemed in his discourse to the prince, to think he had to deal with a child, ignorant of the most common affairs, which could not but offend him. But what offended him still more, was, that he attempted to draw him into a discovery of the English lords, with whom he had held a secret correspondence during the last war. In a word, this journey proved so unsuccessful, that he lost not only the prince of Orange's esteem, but all his credit with the king. Besides, he farther incurred the duke of York's hatred, by proposing to the prince, without any order, as it is said, a marriage with the princess Mary the duke's eldest daughter, which was afterwards accomplished. It seems, the duke foresaw how fatal that marriage would be to him. After the earl's return to court, his credit declined so visibly, and the king shewed it so openly, that the courtiers made no scruple to mimic him in his presence, for the king's diversion. Thus had the earl of Clarendon been used. It is said, that colonel Talbot, afterwards earl of Tyrconnel, having been some time absent from court, and upon his return happening to see the earl of Arlington one day acted by a person with a black patch on his nose, and a white staff in his hand, could not forbear reproaching the king with his ingratitude, in suffering a man to be thus unworthily treated, who had served him so faithfully, as well in his exile, as since his restoration; to which the king in his excuse replied, that he had no reason to be satisfied with the earl's conduct; "for, not content to come to prayers as others did, he must be constant at sacraments too. Why, answered Talbot, does not your majesty do the very same thing? God's fish! replied the king with some heat, I hope there is a difference between Harry Bennet and me."

This shows, the king had changed neither inclination nor principles since his designs had appeared to be ruin'd. The truth is, he was not satisfied with the members of the cabal,

Burnet,  
p. 377.

Temple's  
memo.  
p. 397.

Burnet,  
Schard.

loses all his  
credit.  
Id. p. 372.

The king  
remains  
fixed to  
his first  
projects.

cabal, though it was not for their counsels, but their not having pursued the general design with sufficient ability. Sir William Temple in his memoirs, relates, that before he departed to offer the king's mediation to the states, he endeavoured, in a private audience, to make the king sensible how ill-advised, and how ill-served he had been by the cabal; to which the king answered—"It is true, I have succeeded ill, but if I had been well served, I might have made a good business enough of it:" and so proceeded to justify what was past. The king is therefore to be considered at the time I am speaking of, that is, during the fourteen months interval between the two sessions, as waiting a favourable opportunity for the better executing his designs. And this opportunity was not to be found till France should be at peace with her enemies, and in a condition to assist her secret ally. In the mean time, the king seems to have had no other business, than to get as much money as he could from his parliament. He began therefore, according to custom, with publishing a proclamation against popish priests and jesuits to prepare the parliament to be favourable to him.

1674-5.

Temple's  
mem.

P. 383.

Echard;

1675.

The king's  
speech to the  
parliament.  
Id. p. 372.  
Kennet.

The fourteenth session of this parliament began the 13th of April. The king opened it with a speech to both houses, in which he told them—"That the principal end of his calling them now, was to know what they thought might yet be wanting to the security of religion and property, and to give himself the satisfaction of having used his utmost endeavours to procure and settle a right understanding between him and his parliament—"For he must tell them, that he found the contrary was so much laboured, and the pernicious designs of ill men had taken so much place under specious pretences, that it was high time to be watchful in preventing their contrivances; of which this was not the least, that they endeavoured, by all means they could devise, to make it impracticable any longer to continue this present parliament—"That he had done as much on his part as was possible to extinguish the fears and jealousies of popery; and would leave nothing undone that might shew the world his zeal to the protestant religion as established in the church of England, from which he would never depart. He then recommended the condition of the fleet, which he was not able, he said, to put into that state it ought to be, and which required a considerable sum of money as well to repair as

1675. “to build. Lastly, he told them, that the season of the year would not permit a long session—That he intended to meet them again the next winter, and in the meantime recommended to them all such temper and moderation in their proceedings, as might tend to unite him and them in counsel and affections, and disappoint the expectations of those, who could only hope by violent and irregular motions to prevent the bringing the session to a happy conclusion.”

A bill against popish priests. Kennet. Echard.

The commons thanked the king for his speech and promises to preserve their religion and liberties: but as he had given them only proclamations, the little efficacy of which was well known, they believed them insufficient, and accordingly proceeded to a new bill against the growth of popery, and particularly popish priests, that is, such as had received orders from the see of Rome.

Address against the duke of Lauderdale, Burnet, p. 379. Echard, III. p. 376. Kennet.

This done, the commons presented a long address against the duke of Lauderdale, in which they said,——“That upon a serious examination of the state of the kingdom, they found, that some persons in great employment under his majesty, had fomented designs contrary to the interest of both his majesty and his people, intending to deprive them of their ancient rights and liberties, amongst which was the duke of Lauderdale, (this was clearly pointing at the cabal.) That he had openly affirmed in the presence of his majesty sitting in council, and before divers of his subjects attending there, that his majesty’s edicts ought to be obeyed; for his edicts are equal with laws, and ought to be obeyed in the first place. They then represented to his majesty some acts which had been made by the parliament of Scotland, by which it appeared, that there was a militia settled in that kingdom of twenty thousand foot, and two thousand horse, who are obliged to be in a readiness to march into any part of this kingdom, for any service wherein his majesty’s honour, authority, and greatness may be concerned; and are to obey such orders and directions, as they shall from time to time receive from the privy council there, and that the duke of Lauderdale was the promoter of this act. That by this means England was exposed to an invasion from Scotland under any pretence whatsoever, while the duke of Lauderdale was intrusted with the administration of that kingdom. For these reasons, they

“humbly

"humbly besought his majesty to remove the said duke 1675.  
 "for ever from his person and council." The king did not  
 think proper to grant this request, and gave some reasons for  
 his refusal, which were not satisfactory to the commons. And <sup>by the king,</sup>  
 therefore they resolved to prepare a second address against  
 the duke.

The commons, after attacking the old members of the cabal, proceeded against a new one, namely, the lord treasurer Danby, who was believed to be deeply engaged in the design of making the king absolute. They examined his whole conduct since his admission to his high post, and drew up several articles, in which they accused him of great misdemeanours. In one of these articles, he was accused of saying at the hearing of a cause in the treasury chamber, "That a new proclamation is better than an old act." But as sufficient proofs were not found to support the charge, it was dropt.

It may be easily inferred from these proceedings of the commons, that they were extremely jealous of the king and his ministers, and did not doubt of the court's intention to introduce popery, and invade the liberties of the subject. Those who would wholly ascribe the ill humour of the commons to Shaftsbury's influences, can hardly answer the above mentioned facts, which would not be less true, though the earl of Shaftsbury had never been born.

The commons showed also their distrust in another point which was no less grievous to the king. By an address they prayed him to recall his troops out of France, and prevent his subjects from engaging in that service for the future. The king rejected the first part of the address, on pretence that in the treaty concluded with the states, he had not engaged to recall those troops, and that it could not be done without prejudice to the peace, which he now enjoyed with all his neighbours: but by a proclamation he prohibited his subjects from entering into the service of France.

Whilst the commons were thus proceeding with vigour, and giving on all occasions signal marks of their distrust, the lords remained idle, and seemed regardless of the fears and jealousies expressed by the commons. Nay, some, and particularly the bishops, observing that the commons were gradually departing from the principle which had been established by this same parliament, as well concerning the church of England, as the royal authority, feared, they

1675.

would lean too much to the opposite side. At the beginning of this parliament, whilst it was believed that the king was and ever would be a protector of the church of England, and would give continual proofs of his affection for a people who had so generously restored him, it was thought the royal authority could not be carried too high, nor too many precautions taken against the nonconformists. But the face of things being changed, and the king having shown by his conduct since he was on the throne, that he really designed to introduce popery, and render himself absolute, these same principles, which had been considered as a bulwark to defend both church and state, appeared too apt to countenance the designs ascribed to the king and his ministers, of invading the government and the established religion. The commons therefore seeing, the king was not the person he was thought to be, and that he took advantage of the acts made in his favour to advance his own interests, which were not those of the nation, used all possible precautions to hinder the execution of his designs. These precautions went so far, that the house of lords were at last apprehensive, that the commons intended to overturn every thing established concerning the royal prerogative and the church's security, and that by degrees the nation would again become republican and presbyterian. It is pretended, the bishops were all or most of them of this opinion. To prevent an evil which to them appeared very dangerous, Robert Bartu, earl of Lindsey brought into the house of lords a bill, intituled, "An act to prevent the dangers which may arise from persons disaffected to the government." By this bill all persons who enjoyed any office ecclesiastical, civil, or military, all privy counsellors and members of parliament, were obliged, under a penalty, to take the oath which had been introduced first in the corporation act, then in the militia act, and afterwards more fully in the five mile act. The oath, to save the reader the trouble of looking for it elsewhere, was thus expressed, "I do declare that it is not lawful upon any pretence whatsoever to take up arms against the king; and that I do abhor the traitorous position of taking arms by his authority against his person, or against those that are commissioned by him, in pursuance of such commission: and I do swear, that I will not at any time endeavour the alteration of the government either in church or state. So help me God."

Bring a bill  
into their  
house to  
check their  
designs.

When this oath was inserted in the three forementioned acts, it produced no considerable debate, for the reasons I have

have been speaking of; but the case was very different when it was proposed in this session. First, because it was rendered in a manner universal, since it was extended to all persons in any office whatever, and even to privy counsellors and members of parliament. Secondly, because the times were altered, and most men had not the same opinion of the king, as when the three former acts were made. This bill occasioned debates in the upper house, which lasted seventeen days, without a possibility of coming to any conclusion<sup>e</sup>. There were two powerful parties in the house, one for, and the other against the bill, and the votes of the bishops turned the scale on the side of the first. This appeared, in that notwithstanding all the efforts of the opposers of the bill, to hinder its being referred to a committee, they could not succeed. Whereupon some lords of that party entered their protestation against it<sup>f</sup>. The same thing happened, when the bill came to be examined in a committee of the whole house. In fine, with regard to the substance of the bill, the two parties displayed all their art and eloquence, the one for the passing, and the other for the rejecting it. In general, those who argued for the bill maintained, that "the position of taking up arms by the king's authority against his person, or against those that are commissioned by him," was false and pernicious; and they supported their opinion by instances of what had been done in the last reign, where it caused such great disorders; and occasioned the subversion both of church and state. They said therefore, that the kingdom being still full of fanatics, republicans, and enemies of the church, it was absolutely necessary to impose this oath upon them, to distinguish them, that it might be known who were to be guarded against. That, otherwise, there was danger of seeing one day renewed, the disorders which had reduced the kingdom to so deplorable a condition, and that the oath en-

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Great debates upon it.

Echard, III. p. 379.

—389— Kennet, R. Coke.

Burnet, p. 383.

Kennet, p. 332.

D d 4

joined

<sup>e</sup> The great speakers for this bill, were, the lord treasurer, and the lord keeper, with bishop Morley, and bishop Ward. The speakers against it, were, the duke of Buckingham, the earl of Shaftsbury, the lords Holles and Hallifax, and the earl of Salisbury. Kennet, p. 332.

<sup>f</sup> The protesting lords, who were looked upon as of the country party, were Buckingham, Bridgewater, Winchester, Salisbury, Bedford, Dorset,

Aylesbury, Bristol, Denbigh, Paget, Holles, Petre, Berkshire, Mohun, Stamford, Hallifax, De-la-mer, Ears, Shaftsbury, Clarendon, Grey of Rolleston, Say and Seal, Wharton. It must be observed, that this bill was contrived by the church party, and was disliked by the duke, and the papists in general, because they thought the bringing any test in practice, would certainly bring on one that would turn them out of the house.

1675. joined by this bill, was, " a moderate security to the church and crown &c."

Echard,  
III. p. 381.  
Burnet,  
p. 384.

" The other party maintained, " That the oath imposed by this, contained three clauses, the two first assertory, and the last promissory; that it was worthy the consideration of the bishops, whether assertory oaths, which are properly appointed to give testimony of a matter of fact, of which a man is capable to be assured by the evidence of his senses, be lawful to be made use of to confirm or invalidate doctrinal propositions; and whether that legislative power, which imposes such an oath, does not necessarily assume to itself an infallibility. And as to promissory oaths, it was desired, that the learned prelates would consider the opinion of Grotius de jure belli et pacis, lib. 2. cap. 3. who seems to make it plain, that those kind of oaths are forbidden by our saviour Christ, Matt. v. 34, 37. And whether it would not become the fathers of the church, when they have well weighed that and other places of the new testament, to be more tender in multiplying oaths, than hitherto the great men of the church have been?" But the question being put, the oath was voted by the majority of the house, the bishops being all for it.

The bill  
passed.  
Echard,  
III. p. 381.

Then they proceeded to the particulars of the oath contained in the bill, and it was alledged by the opposers, that the position of " taking arms by the king's authority against his person," was true and necessary in a limited government, like that of England, otherwise this would be to surrender the rights and liberties of the subject, to a prince, who being supposed a tyrant, (which was a very possible case) would not be restrained by the fear, either of God or man. That should such a future king undertake to abolish all the laws, and invade the estates and liberties of his subjects, they would be obliged by this oath, not to resist him, but to submit to his yoke. That even without supposing

<sup>g</sup> These were the lord chancellor's words.

<sup>h</sup> They said, there ought to be no tests, beyond the oath of allegiance, upon the elections to parliament: it being the great privilege of Englishmen, that they were not to be taxed but by their representatives; it was therefore thought a dishonouring men of the main part of their birthright, to do any thing that should shut them out from their votes in electing: all tests in

publick assemblies were thought dangerous, and contrary to the publick liberty: a great deal was said, to shew, that the peace of the world was best secured by good laws, and good government; and that oaths and tests were no security: the scrupulous might be fettered by them: yet the bulk of the world would boldly take any test, and as boldly break through it. Burnet, p. 384.

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posing such a tyranny, a king might happen to be made prisoner by his own subjects, as was the case of Henry III. and Henry VI. and then those who should have the sovereign in their hands, might act in his name, and authority, by virtue of his commissions, while the subjects would be restrained by the obligation of this oath from endeavouring to free him from captivity. In short, several other probable cases were alledged, by which it was clearly proved, that the oath ought necessarily to have some restrictions, if it was not intended to surrender to the king all the liberties of the nation. But as such restrictions were not easy to be expressed, they concluded, it was much better, to leave the oath in generals, which should not comprehend all possible cases, as seemed to be the intention of this oath from the terms in which it was conceived.

This affair was interrupted by an accident which raised a violent contest between the two houses. I shall not relate the particulars, which suppose the knowledge of many things concerning the privileges of both houses, which few foreigners are acquainted with. I shall content myself with briefly showing the occasion of it. One dr. Shirley having brought an appeal in the house of lords from a decree in chancery against sir John Fagg, a member of the house of commons, they ordered Shirley to be taken into the custody of the serjeant at arms for a breach of privilege. The warrant for taking Shirley into custody was forcibly taken from the serjeant's deputy, by the lord Mohun. The commons demanded justice of the peers against the lord Mohun, and were answered by the lords, that he had only done his duty. The quarrel thus begun, daily increased, so that the houses, in their answers and replies, came to language so reproachful, that there was no hope of an accommodation<sup>1</sup>. Wherefore the king came to the house of peers the 9th of June, and prorogued the parliament to the 13th of October. Thus ended the 14th session of this parliament, before the money bill and other publick bills were ready for the royal assent. The commons had designed to grant the king three hundred thousand pounds sterling<sup>2</sup>, but at the same time re-

A quarrel  
between the  
two houses.  
Kennet,  
Echard,  
Burnet,

Thus Parliament  
prorogued.  
Echard,  
III. p. 387.

<sup>1</sup> The lords affirmed, that it is the undoubted right of the lords in judicature, to receive and determine in time of parliament, appeals from inferior courts, though members of either house be concerned. The commons, on the other hand, maintained it to be the

undoubted right of their house, that none of the members thereof be summoned to attend the house of lords, during the session and privilege of parliament.

<sup>2</sup> For the building of ships.

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And the  
penionary  
members.  
*Ibid.*

An attempt  
of a jesuit.  
*Kennet,*  
*p. 337.*  
*Echard,*  
*III. p. 396.*

Lastly, the commons being informed of a publick report, that many of their members were pensioners to the court, resolved to oblige all their members to take an oath, by which they were to protest, that they had not received any money from the court, since the 1st of January 1672. But I know not whether this resolution was executed.

The debates of the commons were a little interrupted, by a report made to the house of the insolence of a French jesuit named St. Germain. The jesuit being informed, that one Luzancy a French priest had embraced the protestant religion, and afterwards had publickly preached to justify his conversion, went to him, and, threatening to assassinate him, or carry him away by force into France, extorted from him a recantation in writing of his conversion and sermon. This was done during the session of the parliament. A complaint was laid before the secretaries of state, and also before the commons, attested by Luzancy, with an addition of the following particulars, which he offered to swear. That father St. Germain in several conferences with him declared: 1. That the king was a Roman catholic in his heart. 2. That the court were endeavouring to get a liberty of conscience in England for the Roman catholicks, and that granted, in two years, most of the English would acknowledge the pope. 3. That he knew the king's intention concerning religion, and that he was sure his majesty would approve of all he should do in that matter. 4. That he laughed at the parliament, as being only a wave that had but a little time; and said, that nobody was better welcome at court, and had greater intrigues with any

of

n The words of this oath or test ran thus: — " I A. B. do protest before  
" God and this house of parliament,  
" that directly nor indirectly, neither  
" I, nor any for my use, to my know-  
" ledge, have since the first day of  
" January 1672, had or received any  
" sum or sums of money by ways of  
" impress, gift, loan, or otherwise,  
" from the king's majesty, or any other  
" person by his majesty's order, direc-  
" tion, or knowledge, or by authority  
" derived from his said majesty, or  
" any pardon, discharge, or respite of  
" any money due to his said majesty  
" upon account, or any grant, pension,  
" gratuity, or reward, or any promise  
" of any such office, place, or com-  
" mand, of or from his majesty, or  
" out of any money, treasure, or estate

" of or belonging to his majesty, or of  
" from, or by any foreign ambassador  
" or minister, or of, or from any other  
" person in the name, or by the ap-  
" pointment, or with the knowledge,  
" of his majesty or any of them; o-  
" therwise than what I have now in  
" writing faithfully discovered and  
" delivered to this house, which I  
" have subscribed with my name:  
" neither do I know of any such gift,  
" grant, or promise so given, or made,  
" since the said time, to any other  
" member of this house, but what I  
" have also inserted in the said writ-  
" ting; nor have I given my vote in  
" parliament for any reward or pro-  
" mise whatsoever."

So help me God, &c. *Ibid.*

of the nobility than he. 5. That it was good sometimes to force people to heaven; and that there were an infinite number of priests and jesuits in London, that did God very great service. Luzancy added farther, that many persons of good credit and repute, were ready to justify upon oath, that several of the Roman catholicks had spoken things quite as bad or worse. In a word, that they were grown so bold and insolent, that a profelyte could not walk the streets without being threatened and called opprobrious names.

This affair threw the house into a ferment, and obliged the king to publish a proclamation, promising two hundred pounds for the apprehending of St. Germain. But that jesuit was now retired into France, from whence he kept a constant correspondence with Coleman the duke of York's secretary, in whose letters it appeared, that the duke laboured the advancement of popery to the utmost of his power.

I have observed, how much this parliament had been against the presbyterians, and that the discovery of the court's designs had induced them to bring in a bill for their ease, but that the bill became abortive by a sudden prorogation of the parliament. The affair of Luzancy and St. Germain caused the commons to think of a like bill, but they were prevented by the lords. The duke of Buckingham having in a speech to the peers shown the mischiefs arising from the persecution of the protestant dissenters, desired leave to bring in a bill for their ease, which was granted immediately.

But this bill, and all the rest prepared by the commons, were unhappily stifled in their birth by the revival of the former contest between the two houses. This dispute about privileges was managed with such heat on both sides, that it was moved in the house of lords, to present an address to the king to dissolve the parliament, and the question being put, it was passed in the negative by only two voices. At last, the king seeing, no expedient could be possibly found to reconcile the two houses, prorogued the parliament from the 22d of November to the 15th of February 1677, that is, for fifteen months.

I shall close this year with some less important transactions, which ought not to be omitted.

In May, the prince of Newburg came into England, and was received with great distinction by the king, as well on account of his personal merit, as in consideration of the civilities

The prince of Newburg arrives in England. Kennet. Echard.

1675. vilities received by the king in his exile from the duke his father.

And the  
duchess of  
Mazarin.

The duchess of Mazarin having a difference with her husband, retired into England this year, where it is pretended, she would have supplanted the duchess of Portsmouth<sup>o</sup>, had not an intrigue with a certain courtier been too soon discovered to the king. He assigned her however an annual pension of four thousand pounds sterling. Her house, to the day of her death, was the rendezvous of all the men of wit and quality, and St. Evremond, a refugee as well as herself, was one of her most constant attendants.

Finch made  
lord chan-  
cellor.

The 19th of December, Heneage lord Finch, baron of Daventry, who had been only lord keeper, was made lord high chancellor.

Deaths.  
Ibid.

The most remarkable deaths were those of dr. Lightfoot, dr. Willis, and Bulstrode Whitelocke<sup>p</sup>. The last has been frequently mentioned in the recital of the differences between Charles I. and the parliament.

1675-6.

The nation  
discontented  
M. p. 403.

As there was to be no meeting of parliament the next year, the catholicks, and the court, which openly protected them, were less reserved and appeared more active. This gave great uneasiness to the people, who, besides, saw with concern the growing greatness of Lewis XIV. and the indolence of the king, who, instead of being uneasy or jealous, manifestly seemed to behold it with pleasure. It may be affirmed, that the principal article of Charles II.'s reign consists, in the perpetual opposition between the particular interests of the king, and those of the English nation. All the world saw and were sensible of it. It was the common talk, and the subject of daily libels. The king therefore by proclamation suppressed all coffee-houses, on pretence of being places where disaffected persons met and devised malicious and scandalous reports against the king and his ministers. Immediately after was published another proclamation, for discovering and punishing the writers, who daily published libels in London against the government. But it is seldom known, that such proclamations produce any great effects, especially in England, where the liberty of speaking against the government is more unrestrained, than in any other country.

Dec. 29.  
Kennet.  
Coffee-  
houses sup-  
pressed.  
Proclama-  
tion against  
libels.

Though

<sup>o</sup> It is said, that she was brought into England for that very purpose, by the country party. Life of St. Evremond.

<sup>p</sup> Author of the memorials of the English affairs. He was upon the stage above twenty years, but the last fifteen years of his life he lived retired.

Though all the contending powers had, the last year, 1675-6, consented to send their plenipotentiaries to Nimeguen, to treat of a peace, by the mediation of England, there was no great likelihood of a general peace. Sir William Temple and sir Leoline Jenkins, the English mediators and ambassadors, repaired to Nimeguen in July, and only found there the plenipotentiaries of France, and those of the states general. The emperor, the king of Spain, the elector of Brandenburg, retarded the negotiations, as much as possible, in hopes, that the king of England; being concerned in the preservation of the Netherlands, would not suffer them to fall under the dominion of France, and that this would oblige him in the end to declare for the allies. But they were extremely mistaken in imagining that the interest of England was that of the king. It was this that made the proceeding of the English court always unintelligible to them, as well as to the rest of the princes of Europe, who were ignorant of Charles's secret designs and his engagements with France.

Congress of  
Nimeguen.  
Jenkins's  
life.  
Temple's  
letters.  
Echard.

In the beginning of the campaign of 1676, the king of France took Conde and Bouchain, after which, in June he returned to Paris, leaving his army to the conduct of the count de Schomberg. On the other side, the prince of Orange besieged Maeftricht towards the end of July, which gave Schomberg time to take Aire, and march to the relief of Maeftricht. His approach, and some other accidents, obliged the prince to raise the siege.

1676.  
Bafnage.  
Echard.

The campaign being ended; all eyes were turned to the negotiations at Nimeguen. It soon appeared, that the design of France was only to divide the allies, and make a separate peace with the states. The king of England had also the same view, and therein assisted France with all his power, having sent orders to sir William Temple, to endeavour to persuade the states and the prince of Orange, to give their consent. The states were inclinable enough, but the prince of Orange could not be prevailed with, who thought, it would be a betraying of the common cause and the interests of the princes, who had engaged in the preservation of Holland, which without their assistance had been irrecoverably lost. He said, it was in his uncle's power to make peace when he pleased, by declaring against France. But nothing was farther from the king's intention, who, instead of being jealous of the king of France, was privately doing him all the service he could, in soliciting the states and his nephew the prince; to make a separate

Charles tries  
to procure a  
separate  
peace be-  
tween  
France and  
Holland.  
Temple.  
Jenkins.  
Kennet.

1676. rate peace. This discovers with what partiality he acted as mediator.

He endeavours to disabuse the confederate princes.  
Richard,  
III. p. 404.

The hope entertained by the allies, that England would at last declare against France, was the greatest obstacle to peace. The king not being ignorant of it, believed he ought to undeceive the allies, in order to induce them to make such a peace as was desired by France. For this purpose, he published two proclamations, in which, on pretence of regulating some things concerning the neutrality, his design was to show, he had no intention to depart from it.

French privateers molest the English.  
Kennet,  
p. 338, &c.

Since the king had made peace with Holland, the French privateers infested the Channel in such a manner, that without any regard to the neutrality of England, they seized her ships, and, as if in open war, made prizes of them<sup>q</sup>. It was proved, that they had taken fifty three since the peace. At last, the thing went so far, that the commissioners of trade were obliged to present a report concerning these indignities, to the king, and to pray him that he would take some course about it. The king very graciously received the report, and sent orders to his ambassador at Paris to make complaints on this occasion; but that was all the satisfaction the merchants could obtain<sup>r</sup>. For the court of France, knowing that Charles would not break with them for fifty three ships belonging to private men, took no notice of these complaints. The king's indolence produced at least this effect, that the people of England, enraged to see themselves thus exposed to the piracies of the French, were extremely desirous of a war with France, in order to be revenged, and impatiently waited the meeting of the parliament, in the belief that both houses would be more careful than the king, of the interests of the nation.

The English desirous of a war with France.

Proclamations against papists, &c.  
Richard,  
III. p. 406.

The remaining part of this year afforded nothing memorable, besides a proclamation published by the king, forbidding his subjects to hear mass in the queen's chapel in Somerset house, or in the houses of ambassadors. These proclamations were always expressed in very rigorous terms, but executed with such negligence, that the frequency of them only served to show, how little desirous the king was to have his orders strictly observed. They were usually

<sup>q</sup> Pretending they were only Dutch ships with English passes. Burnet, p. 390.

<sup>r</sup> No wonder; since Sir Ellis Leigh-ton, secretary to the English ambassa-

dor at Paris, received bribes in the prosecution of the merchants affairs, and sometimes made corrupt agreements with the French privateers. Kennet, p. 338.

usually a preparative to the next session, but during the intervals of parliament, the Romish priests and jesuits, who swarmed in the kingdom, and all other papists were sure of impunity.

This year died George Digby earl of Bristol in the fifth year of his age, who has often been remembered in the course of this history.

The king, as I said, had prorogued the parliament for fifteen months, except a few days. This prorogation, the longest that ever was known, raised a doubt, whether by it the parliament was not actually dissolved. This doubt was owing to a statute of Edward III. never repealed, whereby it was enacted, that a parliament should be held once every year, and oftner if occasion required. This dispute made a great noise in the kingdom, and books were published on both sides the question. In general the court party maintained, that the parliament was not dissolved, and the contrary party pretended it could not meet, after a fifteen months interruption. I believe the interest of neither party was herein much concerned, though perhaps some private persons might have found some advantage in a new parliament.

The parliament however met the 15th of February according to the prorogation. The king in his speech to both houses declared, "That he was prepared to give them all the satisfaction and security, in the great concerns of the protestant religion as established in the church of England, that should be reasonably asked, or could consist with christian prudence. And he declared himself as freely, that he was ready to gratify them in a further security of their liberty and property, (if they could think it was wanted) by as many good laws as they should propose, and as could consist with the safety of the government, without which there could be neither liberty nor property left to any man." After this, reckoning he had given both houses entire satisfaction, he told them, "That he expected and required from them, that all occasions of differences between the two houses should be carefully avoided:—In the next place, he desired them to consider the necessity of building more ships, and how much all their safeties were concerned in it—

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E e

"And

<sup>a</sup> This year also died sir Matthew Hale, chief justice of the king's bench; sir William Morrice, formerly secretary

of state; and John Ogilby, the publisher of several books.

1676-7.

“And as they knew him to be under a great burthen of debts, he hoped, they would not deny him the continuance of the additional revenue of excise, which was near expiring—And, that they might be satisfied how impossible it was (whatever some men thought) to support the government with less than the present revenue, they might at any time see the yearly established charge, by which it would appear, that the constant and unavoidable charge being paid, there would remain no overplus towards the discharging those contingencies which might happen in all kingdoms, and which had been a considerable charge to him the last year.”

The chancellor's speech.  
Echard,  
III. p. 412.

Then the chancellor enlarged upon all these points; but as his speech was wholly founded upon this unquestionable truth, according to him, that the king had only the welfare of his people in view; I shall transcribe only this single passage.——“For the king hath no desires but what are publick, no ends or aims which terminate in himself; all his endeavours are so entirely bent upon the welfare of his whole dominions, that he doth not think any man a good subject, who doth not heartily love his country: and therefore let no man pass for a good patriot, who doth not heartily love and serve his prince. Private men indeed are subject to be misled by private interests, and may entertain some vain and slender hopes of surviving the publick; but a prince is sure to fall with it, and therefore can never have any interests divided from it. To live and die with the king, is the highest profession a subject can make, and sometimes it is profession only and no more; but in a king it is an absolute necessity, it is a fate inevitable, that he must live and die with his people. Away then with the vain imaginations of those who infuse a misbelief of the government; away with all those ill-meant distinctions between the court and the country, between the natural and the political capacity; and let all who go about to persuade others, that there are several interests, have a care of that precipice, to which such principles may lead them.”

The duke of Buckingham makes a speech, to prove the parliament dissolved.  
Echard,  
Remect.

As soon as the commons were withdrawn, the duke of Buckingham stood up in the house of lords, and made a very long speech, to prove, that the parliament was dissolved by the last prorogation. He grounded his opinion upon ancient statutes (which, he said, are not like women, the worse for being old) and chiefly upon the statute of Edward III. namely, “That a parliament should be holden every year  
“once,

once, and more often, if need be." He added, "Tho' these words are as plain as a pike staff, and no man living that is not a scholar, can possibly mistake their meaning, yet the grammarians in those days made a shift to explain, that the words, if need be, related as well to the words, every year once, as to the words, more often, and so by this grammatical whimsey of theirs, have made this statute to signify nothing. For this reason in the 36th year of the same reign, a new act of parliament was made, in which those unfortunate words, if need be, are left out, and that act, relating to magna charta, and other statutes, made good. Here now, my lords, there is not left the least colour for any mistake, for it is plainly declared, That the kings of England must call a parliament once within a year." Then he reduced the whole matter to this dilemma: "Either the kings are bound by these acts, or else the government of England by parliaments is at an end. For if the kings have power, by an order of theirs, to invalidate an act made for the maintenance of magna charta, they have also power, by an order of theirs, to invalidate magna charta itself." It appears by the sequel of this speech, that the duke of Buckingham's aim was to put an end to this parliament, which had continued so long, and thereby rendered the commons, in some measure, sovereigns over their countrymen. The duke was seconded by the earls of Salisbury and Shaftsbury, and the lord Wharton. At last, after great debates, the house sent all four to the Tower<sup>1</sup>, from whence they were shortly after released, except the earl of Shaftsbury, who was continued there above a year, because he would not own the justice of his imprisonment<sup>2</sup>.

A few days after, the commons voted the king a tax of five hundred and eighty four thousand pounds, to build thirty ships, without appropriating tunnage and poundage. Besides, they continued for three years the additional tax upon beer, which was to expire the 24th of June.

E c 2

It

<sup>1</sup> The two earls, upon having leave to have their own servants wait on them, named their cooks first, which the king highly resented, as carrying in it an insinuation of the worst sort. Burnet, p. 402.

<sup>2</sup> The earl of Shaftsbury, it seems, had reflected on the duke of Buckingham, as a man inconstant and giddy

in his conduct. As the duke was taking coach, on his discharge out of the Tower, the earl looking out of his window, cried, "What, my lord, are you going to leave us? Ay, my lord," replied the duke, such giddy headed fellows as I can never stay long in a place."

Seconded by three other lords. Id. p. 339. All four sent to the Tower. Burnet.

granted. Kennet. Echard. Burnet.

1676-7.

It appeared soon after, that their grand affair was to stop the great progress of France in the Netherlands, and engage the king in a war with that kingdom, for which purpose they presented the following address:

The commons address the king against France. Kennet. Echard, III. p. 417, &c. Burnet. R. Coke.

"We your majesty's most loyal subjects, do most humbly offer to your majesty's consideration, that the minds of your people are much disquieted with the manifest dangers arising to your majesty, by the growth and power of the French king, especially by the acquisitions already made, and the farther progress like to be made by him in the Spanish Netherlands, in the preservation and security whereof we humbly conceive the interest of your majesty, and the safety of your people, are highly concerned; and therefore we humbly beseech your majesty to take the same into your royal care, and to strengthen yourself with such stricter alliances, as may secure your majesty's kingdoms, and secure and preserve the Spanish Netherlands, and thereby quiet the minds of your majesty's people." To which the king answered,—"That he was of the opinion of his two houses of parliament, that the preservation of Flanders was of great consequence; and that he would use all means in his power for the safety of his kingdom."

His answer.

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A second address.

This answer not being satisfactory, the house presented a second address on the same subject the 30th of March. It was much the same with the first, excepting the addition, that in case his majesty should happen to be engaged in a war with France, they should always be ready to assist him with such supplies, as might enable him to prosecute the same with success.

The king's answer.

The king gave no answer to this address till twelve days after, when he sent a message, "That the only way to prevent the dangers which might arise in these kingdoms, would be to put him timely in a condition to make such fitting preparations, as might enable him to do what should be most for their security."

A third address.

This drew from the commons a third address to the king, in which they informed him, that they were preparing a bill for the additional duty of excise, on which he might borrow two hundred thousand pounds, and promised to give him ample testimony of their affection at their next meeting, after a short recess during Easter. The king not satisfied with so small a sum, told them plainly, that without six hundred thousand pounds, it would not be possible for him to answer the ends of their several addresses.

The king's answer.

Many

Many members being absent on account of the expected adjournment at Easter, the commons were cautious of proceeding upon other money bills; but desired his majesty's leave to adjourn, promising, that, after the recess, they would comply with his demands. The same day, the 16th of April, the king came to the house of peers, and gave his assent to several acts. The chief were, 1. An act for the raising of five hundred and eighty four thousand pounds sterling, for building of thirty ships. 2. An act for an additional excise upon beer, and other liquors, for three years. 3. An act for prevention of frauds and perjuries. 4. An act for taking away the writ de hæretico comburendo. 5. An act for erecting a judicature to determine differences touching houses burnt by the late dreadful fire in Southwark <sup>v</sup>. Then the chancellor acquainted the two houses, that the king gave them leave to adjourn to the 21st of May next.

Acts passed.  
Statute b.  
Kennet.

The king, undoubtedly, had no desire to begin a war with France, his private engagements with Lewis being too strong to allow him such a thought. However, he improved the present occasion to draw money from his parliament, on pretence of providing for the safety of the nation. For that was all he had yet obliged himself to, though the commons imagined, he was ready to come into their measures, as soon as he should be assured of a supply. The vigour with which the commons acted, was owing to the progress of Lewis in the Netherlands and on the Rhine, while Charles, plunged in pleasures, remained unconcerned, and by his conduct effectually destroyed the principles established by his chancellor, that it was impossible for the king and kingdom to have opposite interests. The 17th of March, the king of France took Valenciennes, and besieged cambray, while St. Omer was invested by the duke of Orleans. Cambray cost him but seven days, and while he besieged the citadel, the prince of Orange marched to the relief of St. Omer, and was overcome by the duke of Orleans at Montcaffel. After this defeat, the citadel of Cambray, and St. Omer, surrendered by capitulation, about the 20th of April. By this means the Spanish Netherlands were open on all sides, and could be preserved but by the assistance of England. This was clearly seen by the commons, and excited

The king's  
management.

Richard,  
III. p. 422.

Towns  
taken by the  
French.

Prince of  
Orange loses  
a battle.  
Temple's  
mem.


Basnage,  
II. p. 807.  
Burnet.

E e 3

their

<sup>v</sup> Also an act for the better observation of the Lord's day. And another for confirming and perpetuating

augmentations, made by ecclesiastical persons, to small vicarages and curacies.

1677.  their endeavours to awaken the king out of his affected lethargy. The king knew the danger as well as, or better than, his parliament. But, contrary to the maxim of his chancellor, the kingdom's danger was not his. The more powerful the king of France rendered himself, the greater was his private advantage, because it was by the assistance of France, that he pretended to enslave his own kingdom. Let a man study never so much to find plausible reasons for the king's conduct and negligence, with regard to the Netherlands and the growing power of France, he will find none, without supposing what I have said concerning the king's designs. The Spaniards, and Dutch, the emperor and the princes of Germany, all reasoned wrong. They supposed, that Charles would not suffer the Netherlands to be lost, because it was the interest of England to preserve them, and were mistaken in imagining, the king would be influenced by the good of his kingdom. But he had a particular interest directly contrary to that of England, namely, his own, which he blindly pursued. He would have seen the last town of the Spanish Netherlands lost without being moved. Nevertheless, as it was also his interest not to discover his designs before the time, for fear of alarming the English, and engaging the parliament in other measures, he pretended to approve of their views. But this was only to obtain a supply, without promising however any thing but to make preparations, which properly was obliging himself to nothing at all. Such was the king's conduct in this whole affair, as will appear still more plainly in the sequel.

Richard, III. p. 424. The parliament meeting the 21st of May, by the king's proclamation of summons, after an adjournment of near five weeks, the commons believed the king had spent this interval in making the alliances they had desired, and that he would communicate to them what had been done. But the king only told them, by secretary Coventry, that he expected the house would forthwith proceed to the money bill, and the rather, because he intended there should be a recess very quickly. This message occasioned warm debates in the house. They were inclined to give the king the six hundred thousand pounds he had asked, but were willing to have something for their money, whereas the king was for being sure of the supply before he proceeded in what was desired by the commons. Their distrust was not very honourable to him, but, it was his fault, because he had given so many occasions for it, and therefore he could not think it strange. He made it however subservient to his design, and pretended in

Charles finds his advantage in the French conquests.

Temple.

The king's conduct.

Richard,

III. p. 424.

The king presses the money bill;

distrusted by the commons.

in his turn to fear, that the commons intended to engage him in a war with France, and then leave him to extricate himself as well as he could, without granting the necessary assistance to support it. On this pretence he sent for the commons to Whitehall, and made them the following speech:

"Gentlemen, I have sent for you hither, that I might prevent those mistakes and distrusts, which I find some are ready to make, as if I had called you together only to get money from you, for other uses than you would have it employed. I do assure you on the word of a king, that you shall not repent any trust you repose in me, for the safety of my kingdoms, and I desire you to believe, I would not break my credit with you; but as I have already told you, That it will not be possible for me to speak or act those things which should answer the ends of your several addresses, without exposing my kingdoms to much greater dangers, so I declare to you again, I will neither hazard my safety nor yours, until I be in a better condition than I am able to put myself, both to defend my subjects, and offend my enemies. I do farther assure you, I have not lost one day since your last meeting, in doing all I could for your defence, and I tell you plainly, it shall be your fault, and not mine, if your security be not sufficiently provided for."

The king's speech to the commons. Id. p. 425.

As this speech, under general and obscure terms, perfectly answered the king's secret intentions, it is absolutely necessary to make some remarks, in order to show distinctly and plainly, both the king's intention and character.

Remarks upon this speech.

First, the commons had desired the king to provide for the safety of his kingdoms, upon the foundation, that their safety depended on the preservation of the Spanish Netherlands. But the king says not a word which may oblige him to the defence of the Netherlands, and contents himself with promising, upon his royal word, that he will provide for the safety of his kingdom; which general promise left him room to say afterwards, that whatever he had done was for the safety of his kingdom.

Secondly, he supposed, that in providing for this safety, his kingdoms would be exposed to great dangers, unless he had the money beforehand, which was a groundless supposition.

Thirdly, he told them, he ought to be put in a better condition to defend his subjects, and offend his enemies. By this last expression he insinuated, that he would enter into a

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league offensive against France, which was not his intention as will hereafter plainly appear.

Fourthly, he told them, he had not lost one day in doing all he could for their defence, which expression signified nothing, since he had just told them, he could neither speak nor act, before he had the demanded supply. In what therefore did his five weeks care consist?

Fifthly, there is but one thing clear in this speech, and that is, he would be sure of the money before he began to act. By which he intimated to the commons, that he pretended to have as much reason to distrust them, as they could have to distrust him, though assuredly the case was very different.

Great debates amongst the commons. Ibid,

This speech occasioned very great debates in the house of commons. The court party proposed a speedy grant of the desired supply, to enable the king to make alliances, otherwise, they could not be expected to be made; and alledged, that the king had the same power of making war and leagues, as the house had in giving money; he could not have money without them, nor they alliances without him. The contrary party remarked, that nothing positive was promised by the king, except that he would provide for the safety of the kingdom, which might be explained several ways, without any assurance it should be understood in the sense of the commons. As for saying that the king would make alliances when he should have the supply, the expression was too general to hazard upon it a sum of six hundred thousand pounds. But if alliances were made forthwith, and declared to day, the six hundred thousand pounds would be granted to morrow.

This last opinion prevailed, such was the distrust conceived of the king. So, the house resolved to present an address to the king, which should oblige him to speak more plainly, that they might know how to proceed. The substance of this address was:

They address the king. Echard, III. p. 426. Kennet. Burnet. R. Coke.

“ It is a great affliction to us, to find ourselves obliged to  
 “ declare against the granting the supply you are pleased to  
 “ demand, conceiving it not agreeable to the usage of par-  
 “ liaments, to grant supplies for the maintenance of wars  
 “ and alliances, before they are signified in parliament; from  
 “ which usage if we depart, the precedent might be of  
 “ dangerous consequence in future times.—

“ We humbly beseech your majesty to enter into a league  
 “ offensive and defensive with the states general of the Uni-  
 “ ted Provinces, against the growth and power of the  
 “ French

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French king, and for the preservation of the Spanish Netherlands, and to make such other alliances with other such of the confederates as you shall think fit and useful to that end.—

“Lastly, they laid before him several reasons to convince him, that, in this juncture, a war with France was absolutely necessary, in order to oblige her to leave the rest of Christendom in repose, and promised to put him in a condition for a vigorous maintenance of the same.”

Had the king really intended to stop the great progress of the king of France, this address would have been more than sufficient to engage him in a war with that prince, or at least to have done something to make him fear it. But as nothing was farther from his thoughts, he affected a distrust of the commons, which he really had not. He had undertaken the first war against the states, upon a like assurance without the least hesitation. He had engaged in the second war without even imparting his design to the parliament. But when a war with France was desired, he pretended to fear from the commons, what he had not feared when a war with Holland was in question; though it was manifest, this fear was entirely groundless. But any delay was to be used rather than oppose the progress of his good friend, and yet, he was unwilling to lose the opportunity of procuring a supply from his parliament.

The commons pretended by their last address to oblige the king to give a clear answer. But they found themselves mistaken. The king receiving this address the 26th of May, sent, two days after, for the commons to Whitehall, and for answer sharply reproved them for invading his prerogative, requiring him to enter into a league offensive and defensive with the states general. “Should I, said he, suffer this fundamental power of making war and peace to be so far invaded, as to have the manner and circumstances of leagues prescribed to me by parliament, no prince or state would any longer believe, that the sovereignty of England rests in the crown,—Wherefore you may rest assured, that no condition shall make me depart from so essential a part of the monarchy.” At the conclusion of this speech he declared his pleasure to them, that the house be adjourned till the 16th of July<sup>x</sup>, telling them, he would give them

The king continues to reign a distrust of the commons.

Complains of the address. Kennet, p. 342. Echard. R. Coke.

Adjourns the parliament. notice

<sup>x</sup> They were adjourned by the speaker, without the consent of the house, or so much as his putting the

question, though sir John Finch was, for the same thing, impeached of high treason in 1640. Kennet, p. 343.

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notice by his proclamation when he intended they should sit again, which, he said, would not be till winter, unless some extraordinary occasion should happen.

Nothing is a plainer demonstration, how different the king's interests were from those of his kingdom, than his conduct on this important occasion. The commons believed it absolutely necessary for the safety of the kingdom, to check the progress of the French king, and preserve the Netherlands, and to that end, make alliances with the states general and their confederates. This was a very evident truth. The king himself did not deny it, while there was hope of getting the six hundred thousand pounds, demanded on pretence of putting himself in a condition to defend the kingdom, which shewed at least that he believed it in danger. But when he saw the commons would not be satisfied with general promises, but required something real, the necessity of putting the kingdom in a state of defence vanished at once. He adjourned the parliament for several months, without any notice of the danger with which the kingdom was threatened, though that danger subsisted no less, than at the beginning of the session. Thus the danger was pressing to the kingdom, when it was no longer so to the king: a clear evidence that the king and parliament had different views and interests. So, on pretence of an attempt of the commons upon his prerogative, he took occasion to order a long adjournment, which broke all the measures of the commons, and almost destroyed the hopes entertained by the allies, of assistance from England, which could not but be very advantageous to France. I do not think it possible to account for the king's conduct in a manner satisfactory to the impartial, without supposing that he expected assistance from France to make himself absolute, and change the established religion. On this supposition, instead of being concerned to stop the progress of France, it could not but be for his interest that she should become still more powerful. Accordingly this was what he wished, as all his proceedings manifestly showed.

The king  
wishes his en-  
deavours for  
a separate  
peace.  
Temple's  
mem.  
p. 448, 450.  
lett. p. 457.

We learn from sir William Temple himself, that whilst he was at Nimeguen as plenipotentiary mediator for a peace, he was sent for to London by the king, on pretence of making him secretary of state, but in reality to dispatch him to the Hague, to endeavour to persuade the prince of Orange to consent to a separate peace with France. But Temple declined a commission which he had before tried to execute, without being able to succeed. This shows with what zeal

the king endeavoured to serve France, which only wanted to divide the allies by such an expedient. It is certain, the king of France, though till now superior to his enemies, was little able longer to sustain a war with almost all Europe united against him. It was therefore in the king of England's power to procure a just and reasonable peace by declaring against France, as he was desired by the parliament. But this could never be obtained of him. On the contrary, fearing to be forced to it at last by the clamour of his people, he secretly laboured to procure France an advantageous peace, by the divisions of her enemies,

Sir William Temple having refused to be employed upon this errand, mr. Laurence Hyde was sent to the Hague, to try to gain the states and prince of Orange.

The king had the more hopes of prevailing with the prince, as there had been some time since a proposal from him for his marriage with the princess Mary, eldest daughter to the duke of York; and as he did not doubt, that to succeed in that affair, the prince would grant every thing desired of him concerning the separate peace with France. It was for this end probably, that the king permitted the prince his nephew to come to his court, and solicit his affairs in person: but without any positive assurance that his addresses would be well received. The prince could not leave the army before the campaign was ended, and therefore arrived not in England till the 9th of October, when he landed at Harwich, and from thence went to the court. The king, the duke of York, the lord treasurer, and sir William Temple, were the only persons informed of the motive of the prince's journey. The court, which was then at Newmarket, being returned to London, the prince had a fight of the princess, and then demanded her in form of the king and duke of York, by whom his proposal was differently received. The duke of York seemed very cold, and the king appeared to embrace it with joy: but it was on condition that he and the prince should previously agree upon the terms of a general peace. This condition was like to render the prince's journey entirely fruitless. The prince was absolutely against speaking of a peace till after the marriage, and the king as resolute to agree upon the plan of a peace before the marriage should be concluded. They continued five or six Days fixed to their resolutions. The prince acquainted the king, by sir William Temple, "That his

Project of a marriage of the prince of Orange with the princess Mary. Temple's let. fol. p. 395. 416.

The prince arrives in England. Temple's mem. p. 454. Kennet. Echard. Burnet.

"lies, who were like to have hard terms of the peace, as things then stood, would be apt to believe, that he had

A difference between the king and prince. Temple.

Memoirs. p. 454.

"made

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“made his match at their cost; and for his part he would never sell his honour for a wife.” All this was not capable to divert the king from his resolution, and the affair seemed upon the point of breaking off. But all was reconciled. Temple paying a visit to the prince one night after supper, was told by him, “That he repented his coming into England, and resolved to be gone in two days, if the king continued in his mind of treating upon the peace before he was married; but that before he went, the king must chuse how they should live hereafter; for he was sure it must be either like the greatest friends, or the greatest enemies; and desired sir William to let his majesty know so next morning, and give him account of what he should say upon it.” Sir William, in discharge of his commission, represented to the king the ill consequences of a breach with the prince, considering the ill humours of so many of his subjects on account of his engagements with France; and the invitation made the prince by several of them during the late war. The king having heard him with great attention, answered, “I never yet was deceived in judging a man’s honesty by his looks,—and if I am not deceived in the prince’s face, he is the honestest man in the world; and I will trust him, and he shall have his wife, and you shall go immediately and tell my brother so, and that it is a thing I am resolved on.” The duke of York appeared at first a little surprized, but however answered, the king should be obeyed, that he should be glad his subjects would learn from him the obedience which they owed to their sovereign,—adding, “I tell him my opinion very freely upon any thing, but when that is done, and I know his pleasure upon it, I obey him.” Immediately after sir William waited on the prince with the agreeable news. The same day, the marriage articles were drawn and agreed, the prince’s portion being forty thousand pound sterling, and the day after the king declared the marriage in full council. The city of London testified an extraordinary joy at the news, and sir Francis Chaplin the lord mayor

The king  
yields, and

the marriage is concluded and consummated.  
Octob. 14.  
Temple.  
Burnet.  
Kennet.  
Richard.

y The French ambassador, and lord Arlington, appeared the only two persons unsatisfied upon it at court; the first, not knowing how he should answer it to his master, that an affair of that importance should pass without his communication, much less advice, in

a court where nothing had been done so, for many years; and the lord Arlington, that it should pass without his knowledge, who still endeavoured to keep up the court opinion of his confidence with the prince. Temple’s mcm. p. 455.

mayor invited the king to a magnificent entertainment the 1677~  
29th of October. The marriage was consummated on the  
prince's birth-day, the 4th of November<sup>2</sup>.

A few days after, the king, the duke of York, the prince  
of Orange, the lord treasurer, and sir William Temple,  
entered into conference for settling the scheme of a general  
peace, and after some debates, agreed upon these terms: A plan for  
a general  
peace agreed  
upon.  
Temple's  
mem.

" All should be restored by France to the emperor, that had  
" been taken from him in the war, the duchy of Lorrain.  
" to that duke, and all on both sides between France and  
" Holland: and to Spain, the towns of Aeth, Charleroy,  
" Oudenard, Courtray, Tournay, Conde, Valenciennes,  
" St. Guillain, and Binch. That the prince of Orange  
" should endeavour to procure the consent of Spain; and  
" the king that of France, for which purpose he should  
" send some person immediately over with the proposition,  
" who was to demand a positive answer in two days." The  
lord Duras, afterwards earl of Feversham, a creature of  
the duke of York, was the person fixed upon to execute  
this commission. P. 455, 456.

The prince and princess of Orange embarked for Hol-  
land shortly after. The king positively assured the prince,  
he would never depart from the scheme agreed upon for a  
general peace, and that if France refused her consent, he  
would declare war against her. And yet, the prince had  
the mortification before his departure, to see the adjourn-  
ment prolonged. The prince  
returns for  
Holland.  
Burnet.  
Kennet.  
The ad-  
journing  
ment prolonged.

<sup>2</sup> Burnet, in his account of this mat-  
ter, says that the lord treasurer Danby  
seeing his ruin was inevitable, if he  
could not bring the king off from a  
French interest, gave the prince of  
Orange, by sir William Temple, great  
hopes of a marriage with the duke's  
daughter, and got the prince to ask the  
king's leave to come over to England.  
When the prince, after a fruitless stay  
for some weeks, was going away, the  
lord Danby pressed his staying a few  
days longer, and that the management  
of the matter might be left to him.  
So, next morning he came to the king,  
and told him, he had received letters  
from all his majesty's best friends in  
England, and shewed him a bundle of

them, which he was sure the king  
would not trouble himself to read.  
They all agreed, he said, that the king  
should make a marriage between the  
prince of Orange and the duke's daugh-  
ter. If not, the parliament would  
certainly address for it, and so the king  
would lose the thanks of it. Whereas,  
if the king did it of his own motion,  
he would have the honour of it. Hav-  
ing enforced the thing with all the ar-  
guments he could, the king was con-  
vinced, and sent for the duke, who  
obeyed the king's pleasure. Danby so  
ordered the matter, that the duchess of  
Portsmouth could not speak with the  
king, before he had declared the mat-  
ter in council, p. 409, 410.

1677: ment of the parliament prolonged from the 3d of December to the 4th of April<sup>a</sup>.

The king is  
gained by  
France.

Temple's  
mem.

p. 457.

Danby's  
lett.

The plan for  
a peace  
is forgot.

Secret nego-  
tiations with  
France.  
Danby's  
lett.

The court of France were extremely surprized, as well with the scheme of the peace, as the manner in which it was pretended to impose it on them. But whether the lord Duras had secret orders to give hopes, that the scheme might be altered, or it was not despaired to gain the king of England, the envoy, after staying some days beyond his commission, returned without an answer, or at least with an answer of no signification. It contained only, "that the most christian king hoped, his brother would not break with him upon one or two towns, to which England had no pretension, but however, he would send orders to his ambassador at London, to treat with his majesty himself." It is known, the king of France offered mr. Montague, the English ambassador, large sums for the king and the treasurer, which were not accepted, at least openly; but on the other hand, the king suffered himself to be so mollified by the offers or articles of France, that the scheme of peace agreed on with the prince of Orange, was at last reduced to nothing, and no more heard of.

From the lord Duras's return to the meeting of the parliament, the king was actually negotiating with the king of France, the terms on which he was to resist the solicitations of his parliament, and prevent his declaring for the allies. This appeared openly in the parliament itself, by the letters of the lord treasurer Danby, produced before the commons in 1678, by mr. Montague, ambassador at the French court; and since that, a fuller conviction has been given of this by mr. Montague's letters, published by the earl of Danby, in the reign of William III. I shall transcribe the extracts of these letters, that the reader may be satisfied of what I say, without relying on my word. But

I am

<sup>a</sup> The prince and princess were hurried out of town so fast, (there being a secret design to invite them to an entertainment in the city by the country party, which the court did not like,) that they had scarce time to make provision for their journey. Being come to Canterbury, they repaired to an inn, where, through haste they came very meanly provided. Upon application to borrow money of the corporation, the mayor and his brethren, upon grave deliberation, were really afraid to lend

them any. Dr. Tillotson, then dean of Canterbury, hearing of this, immediately got together what plate and money he could, and went to the inn to mr. Bentinck, with the offer of what he had. This was highly acceptable to the prince and princess, and the dean was carried to wait upon them. By this lucky accident, he began that acquaintance and correspondence with the prince and mr. Bentinck, as advanced him afterwards to the archbishopric.

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I am to premise, that the king, after prolonging the adjournment to April 1678, thought proper to assemble the parliament, the 15th of January, and as soon as they met, to adjourn the commons, by a message, to the 28th of the same month. The letters I mentioned were as follows :

Extract of a letter from mr. Montague to the king from  
Paris, in the year 1677.

— I Am sure the greatness of the king of France is supported only by your majesty's connivance at what he does, and the good will Christendom sees you have for him. The advantage he has by it even in point of revenue, by his conquests, does amount to five times the sum you have now from him : and though after-games are hard to play, I think I understand this court so well, and if you care to have it done, I am confident I could get you by agreement a million of livres a year to be paid while the war shall last, and four millions after the peace shall be made, I mean, fir, over and above what you have from France now.

Extract of a letter from mr. Montague to the lord treasurer  
Danby, writ a little after the former.

I Expect his christian majesty's answer to the demands I made by the king's direction of two hundred thousand pounds sterling, to be paid till the general peace is concluded, taking for granted that it will be conform to my orders from the king, to insist upon two millions of livres a year during the war, and four millions after the peace, or else two hundred thousand pounds sterling during the war. But I am told this morning, that mr. Courtin has agreed this matter with the king my master, and that his majesty will be contented with two millions of livres a year only during the war : which I confess surprized me extremely, considering the necessity of his majesty's condition, and the positiveness of his commands to me, to insist upon two hundred thousand pounds sterling, which I had done very effectually, and must have succeeded in, considering the reasonableness of the demand, except the generosity of the king our master's nature, who values money so little, has already condescended to the lesser sum of two millions of livres, &c.

Extract

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Extract of a letter from the lord treasurer Danby to mr. Montague, ambassador in France, the 17th of January 1677-8.

—Y Eſterday young Ruvigny came to me with mr. Barrillon (having given me his father's letters the day before) and diſcourſed much upon the confidence the French king hath of the firmneſs of ours to him : of the good opinion his maſter hath of me ; of his king's reſolution to condeſcend to any thing, that is not infamous to him, for the ſatisfaction of our king ; how certainly our king may depend upon all aſſiſtances and ſupplies from his maſter, in caſe the friendſhip be preſerved.—The main of their drift was to engage me to prevail with the prince of Orange as to the town of Tournay.—The king muſt come to ſome declaration of his mind to the parliament when it meets. That which makes the hopes of peace leſs probable, is, that the duke grows every day leſs inclined to it, and has created a greater indifferency in the king than I could have imagined ; which being added to the French king's reſolutions, not to part with Tournay, does, I confeſs, make me deſpair of any accommodation. Nevertheless, I am aſſured that one principal cauſe of this adjournment for thirteen days, has been to find an expedient for the peace ; and the effect hath hitherto been, that no body will now believe other than that the peace is already concluded between us and France.

Extract of another letter from the ſame hand to the ſame perſon, dated the 25th of March 1678.

—I N caſe the conditions of peace ſhall be accepted, the king expects to have ſix millions of livres a year for three years, from the time that this agreement ſhall be ſigned betwixt his majeſty and the king of France ; becauſe it will probably be two or three years before the parliament will be in humour to give him any ſupplies after the making of any peace with France ; and the ambaffador here has always agreed to that ſum, but not for ſo long a time. If you find the peace will not be accepted, you are not to mention the money at all ; and all poſſible care muſt be taken to have this whole negotiation as private as is poſſible, for fear of giving offence at home, where for the moſt part we hear in ten days after of any thing that is communicated to the French miniſters.—At the bottom of the letter were theſe words under the king's own hand—

This letter is writ by my order, C. R.

I ſhall

I shall make no remarks upon these letters, which plainly shew, with what sincerity the king discharged the office of mediator, and how much he favoured France. The best excuse for him is, that these secret proceedings and negotiations were only to get money. But when it is considered, that he would have received much more from his parliament, if he had pursued the paths of uprightness, and might have had more left of what the parliament would have granted him in one single year, than he hoped to draw from France in three, a man can hardly forbear thinking, that his blind attachment to the interest of France was for hidden designs which it was not yet time to discover. And if it is said, he took money from France, only to be freed from the trouble of applying to his parliament, this does but confirm that he intended to render himself absolute <sup>b</sup>.

The king had not prolonged the adjournment of the parliament to the 28th of January in order to find expedients for a general peace, as the treasurer told Montague in his letter of the 26th of January, but to have time to receive the news of a league with Holland, which was indeed signed the 16th of January. This league was very far from answering the desires of the parliament. It was properly but defensive, to prevent the king of France from pursuing his conquests in the Netherlands. Nay, it may be easily judged, considering the king's strict union with France, and the secret correspondence between the two courts, whether he had any great desire to go to war with the king of France, in order to oblige him to restore what he had taken. He believed nevertheless, that this league would be capable to impose upon the parliament, and therefore had deferred their meeting to receive the news of its conclusion. Supported by this league, which according to him, was to produce wonderful effects, he made the following speech to both houses, the 28th of January.

1677.

Remarks  
upon the  
king's  
conduct.

1677-8.

The king  
concludes al-  
liances with  
the states  
Temple.

My lords and gentlemen,

"WHEN we parted last, I told you, that before we met again I would do that which should be to your satisfaction. I have accordingly made such alliance <sup>The king's  
speech.  
Kennet,  
p. 346.  
Richard.</sup>

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F f

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<sup>b</sup> This year died, Gilbert Sheldon, archbishop of Canterbury; Theophilus Gale, author of the court of the Gentiles; Robert Sheringham, who writ

a treatise, de Anglorum gentis origine; and James Harrington, Esq; author of the Oceana.

1677-8. "ances with Holland, as are for the preservation of Flan-  
 "ders, and which cannot fail of that end, unless prevent-  
 "ed either by the want of due assistances to support those  
 "alliances, or by the small regard the Spaniards themselves  
 "must have to their own preservation. The first of these  
 "I cannot suspect, by reason of your repeated engagements  
 "to maintain them; and I know you are so wise as to  
 "consider, that a war which must be the necessary conse-  
 "quence of them, ought neither to be prosecuted by halves,  
 "nor to want such assurances of perseverance as may give  
 "me encouragement to pursue it: besides it will not be  
 "less necessary to let our enemies have such a prospect of  
 "our resolutions, as may let them see certainly that we  
 "shall not be weary of our arms, till Christendom be re-  
 "stored to such a peace, as shall not be in the power of  
 "any prince alone to disturb.

"I do acknowledge to you, that I have used all the means  
 "possible by a mediation, to have procured an honourable  
 "and safe peace for Christendom; knowing how preferable  
 "such a peace would have been to any war, and especially  
 "to this kingdom, which must necessarily own the vast  
 "benefits it has received by peace, while its neighbours  
 "only have yet smarted by the war; but finding it no  
 "longer to be hoped for by fair means, it shall not be my  
 "fault if that be not obtained by force which cannot be had  
 "any other ways. For this reason, I have recalled my  
 "troops from France, and have considered, that although  
 "the Dutch shall do their parts, we cannot have less on  
 "ours than ninety sail of capital ships constantly main-  
 "tained, nor less than thirty or forty thousand landmen  
 "(with their dependencies) to be employed upon our  
 "fleets and elsewhere. And because there shall be no fear  
 "of mis-employing what you shall give to these uses, I  
 "am contented that such money be appropriated to those  
 "ends as strictly as you can desire. I have given testimony  
 "enough of my care in that kind, by the progress I have  
 "made in building the new ships; wherein, for the mak-  
 "ing them more useful, I have directed such larger di-  
 "mensions as will cost me above one hundred thousand  
 "pounds more than the act allows. I have gone as far  
 "as I could in repairing the old fleet, and in buying ne-  
 "cessary stores for the navy and ordnance: and in this and  
 "other provisions for better securing both my foreign plan-  
 "tations and the islands nearer home, I have expended  
 "a great deal more than the two hundred thousand pounds  
 "you

“ you enabled me to borrow upon the excise, although 1677-8.  
 “ I have not found such credit as I expected upon that  
 “ security. I have borne the charge both of a rebellion in  
 “ Virginia, and a new war with Algiers: I stand engaged  
 “ to the prince of Orange for my niece’s portion, and I shall  
 “ not be able to maintain my constant necessary establish-  
 “ ments, unless the new imposts upon wine, &c. be con-  
 “ tinued to me, which would otherways turn only to their  
 “ profit to whom we least intend it.

“ I hope these things will need little recommendation to  
 “ you, when you consider your promises in some, and the  
 “ necessity of the rest; and to let you see, that I have not  
 “ only employed my time and treasure for your safety, but  
 “ done all I could to remove all sorts of jealousies, I have  
 “ married my niece to the prince of Orange, by which I  
 “ hope I have given full assurances, that I shall never suf-  
 “ fer his interests to be ruined, if I can be assisted, as I  
 “ ought to be, to preserve them. Having done all this, I  
 “ expect from you a plentiful supply, suitable to such great  
 “ occasions, whereon depends not only the honour, but  
 “ for aught I know, the being of the English nation, which  
 “ will not be saved by finding fault afterwards, but may  
 “ be prevented by avoiding the chief fault of doing weakly  
 “ and by halves, what can only be hoped from a vigorous  
 “ and thorough prosecution of what we undertake. These  
 “ considerations are of the greatest importance that ever  
 “ concerned this kingdom, and therefore I would have you  
 “ enter immediately upon them, without suffering any other  
 “ business whatsoever to divert you from bringing them to  
 “ good resolutions.”

It is very strange, that Charles II. with more extraor- A remark  
 dinary supplies than were ever granted to any king of Eng- on this  
 land, with a revenue much larger than that of any of his speech.  
 predecessors, (which, by the calculation of the commons,  
 amounted to sixteen hundred thousand pounds,) was ne-  
 vertheless always in want and oppressed with debts, and in  
 every speech told his parliament, that he had expended for  
 the publick, more than was granted him. He had how-  
 ever been engaged but in two wars, which he might have  
 avoided if he had pleased, and saved his subjects several mil-  
 lions, fruitlessly consumed in these wars. But this is not  
 the only reflection which may be made upon this speech;  
 there is another of much greater importance.

1677-8. The whole speech was founded upon a supposition which naturally ought to have been true, but was not, namely, that his alliance with Holland could not fail to engage him in a war with France, though nothing was farther from his intention. His aim therefore was to represent his alliance with Holland and the war against France, as one and the same thing, or at least the war as the necessary consequence of this alliance, though he gave no positive hopes of the war. There was indeed a wide distance between the one and the other. For, if the parliament had granted the immense sums he demanded, it is certain, he might have made peace when he pleased, without expending any of the money in preparations. He would only have had to declare against France, and peace would instantly have followed. For France was not in condition to resist, if England had been sincerely united with the rest of her enemies. Herein the king threw the parliament into a great dilemma. For, either they were to grant him the large sums he demanded, without having other hopes of a future war, than a consequence not absolutely necessary, or in refusing the supply, they gave the king a plausible pretence to say, it was not his fault, that England did not join with the enemies of France. But in the house of commons were men of sufficient abilities to discover the king's artifices, and instruct their fellow members, wherein they succeeded the more easily, as above two thirds of the house were little inclined to trust to the king's word.

The commons engaged in difficulties.

The commons address the king.  
January 31.  
Kennet.  
Echard.  
Phillips.

It was therefore resolved, after great debates, to present an address to the king, the substance of which was, —  
 " That they besought him not to admit of any treaty of peace, whereby the French king should be left in possession of any greater dominion or power, than was left him by the Pyrenean treaty: that no trade be admitted with France, or any goods suffered to be imported from thence, on pain of forfeiture, and when he should be pleased to communicate his alliances to them in parliament, they would give such ready assistance, on all occasions, as might bring the war to a happy conclusion."

This address threw the king, in his turn, into a great perplexity. He would have it believed, that he intended to make war upon France, though he had already resolved against it. He could not therefore answer this address without a direct assent or dissent, and this is what he was willing

king to avoid. To extricate himself, he had recourse to the same expedient he had formerly used. This was, to complain of the great invasion of his prerogative, in thus prescribing the methods he was to use, which at the same time he showed to be ridiculous and impracticable. He said, his speech was to both houses, and the return ought to be from both. That however, if, by their assistance, he was put into arms sufficient for such a work, he would never be weary, till Christendom was restored to such a peace, that it should not be in the power of one prince to disturb it: that the rights of making and managing war and peace, belonged solely to him, and they were mistaken, if they thought he would ever depart from that right: that if the commons would encourage him to go further in alliances, they must consider of raising speedy supplies; for from the consideration of those he must take his measures.

1677-8.  
The king finds a way to elude it.  
Feb. 4.  
Kennet, p. 346.  
Echard, III. p. 448.  
J. Phillips.

The meaning of this answer was easily understood, namely, that the king studiously avoided to say positively, he intended to declare war against France, though he wished that consequence to be drawn from his alliance with Holland: alliance, of which the contents were not known, and which was not yet imparted to the parliament. He pretended, however, that on his bare declaration or information of an alliance with Holland, the parliament should enable him to maintain ninety large ships, besides thirty others, and forty thousand land forces<sup>c</sup>. And yet, when the articles of this treaty, shortly after, came to be known, the commons voted, that it was not pursuant to their desires. It is easy to see, wherein the difference between the king and the commons consisted. The king feared, or feigned to fear, that the parliament, after engaging him in a war with France, would leave him destitute of means to support it. The commons really distrusted his sincerity, and feared, that, after receiving the money, he would think no more of war, but suffer an unsafe peace to be concluded. Let the reader determine for one or other. I shall only say, that, if the reigns of Henry III. and Richard II. are excepted, England had never seen, till within the last sixty years, such mutual distrust between her kings and parliaments. It must be imputed

The commons sensible of his artifices.

A vote of the commons.  
Echard, III. p. 444.

A reflection,

F f 3

to

<sup>c</sup> In the debates about raising the land forces, sir William Coventry was for hiring bodies of troops from the German princes, and for assisting the Dutch with money. He thought, that which did more properly belong to

England, was to set out a great fleet, and to cut off the French trade every where; for they were then very high in their manufactures and trade. *Burrnet*, p. 411,

1677-8. to this, that James I. Charles I. and Charles II. were no slaves to their word, and while they pretended to save their sincerity by generals, restrictions, obscure or ambiguous expressions, they lost entirely the confidence of their subjects. Every king of England is in danger of being very unhappy, when, by such artifices, he renders suspected the sincerity of what he says in full parliament.

However this be, the commons resolved to grant the king a supply, but with strict limitations. At the beginning of this session, they had granted him seventy thousand pounds, for a solemn funeral of his father, whose body could not be found, though it was certainly known to be interred in Windsor chapel. I don't know whether it was ever discovered, or the intended obsequies performed <sup>d</sup>.

The earl of  
Shaftsbury  
discharged.  
Kennet.  
Echard.

The earl of Shaftsbury, after thirteen months confinement in the Tower, was at last discharged. But not till he had begged pardon on his knees at the bar of the lords house, as well for his fault as his obstinacy in not acknowledging it <sup>e</sup>.

Ghent and  
Ipres taken  
by the  
French.  
Temple's  
mem.  
Bafnage.  
Echard.  
Kennet.

While so much time was spent in England in deliberations about war, the king of France taking the field in February, made himself master of Ghent and Ipres in March, and then put his forces into quarters of refreshment. These conquests so alarmed the Dutch, that from this time they resolved

<sup>d</sup> The truth of the matter seems to be this: that the king, either had great occasion for that sum of money, or thought he could put it to a better use, than laying it out on a solemn funeral for his father; and so never sent to enquire for the body. For, that king Charles I. was actually buried at Windsor (though the lord Clarendon seems, at the end of his history, to doubt of it) and that his body might have been found without much difficulty, is plain from the following certificate, given by Mr. John Sewell, register at Windsor castle.——“ Anno 1696, Septemb. 21, the same vault in which king Charles I. was buried, was opened, to lay in a still-born child of the then prince of Denmark, the late queen Anne. On the king's coffin the velvet pall was strong and sound, and there was about the coffin a leaden band, with this inscription cut through it, *ÆVI CAROLÆ, 1648.*——When the body of king Charles I. lay in-state

“in the dean's hall, the duke of Richmond had the coffin opened, “and was satisfied that it was the “king's body. This several people “have declared they knew to be true, “who were alive, and then present, “as Mr. Randolph of New Windsor, “and others.” Echard, tom. II. p. 649.

<sup>e</sup> He had, it seems, had recourse to the king's bench, whither he was brought by a habeas corpus; but the judges denied his redress. This application to an inferior court was soon taken notice of by the lords, who voted it a breach of privilege, for which the earl was to answer his contempt at the bar of the house. He was accordingly brought to the bar, where he offered to acknowledge his asserting the dissolution of the parliament to be an unadvised action, and to beg their lordships pardon for his offence, in bringing his habeas corpus. Which being done in a form prescribed by the house, he was released. Idem. p. 442.

resolved upon a separate peace, though they durst not publicly own it. Lewis XIV. who knew their intentions, and had nothing to fear from England, began to talk like a conqueror, and to form himself the plan of the peace he was willing to grant the allies, and which was different from that agreed on between Charles and the prince of Orange.

On the other hand, the commons of England alarmed at the progress of the French arms, made haste to finish a bill for raising money by a poll tax. The 14th of March they resolved upon an address to the king, to pray him to declare war against France, to dismiss the ambassador of that crown, and recall his own from Paris, with a promise of the necessary and plentiful supplies. This address was sent the next day to the lords for their concurrence: but before an answer was given, the king came to the house of lords the 20th of March, and after passing the poll bill and some others, adjourned the parliament to the 11th of April.

It is remarkable that five days after, the lord treasurer wrote the second of the forementioned letters to ambassador Montague, concerning the secret negotiation of which I have spoken.

The parliament meeting the 11th of April was farther adjourned to the 29th, when the chancellor acquainted the two houses, that the king had discovered that the Dutch were thinking of a separate peace without his consent or privity, and desired their advice how to proceed. The commons gave their advice for an actual war with France, and at the same time voted, "That the late leagues made with the states general of the United Provinces, were not pursuant to the addresses of the house, nor consistent with the good and safety of the kingdom." The king returned an answer, which testified his resentment of this vote. But the commons, not at all discouraged, presented a second address, in which—"They besought him to communicate to them his resolutions upon their advice." They added, "That the inconveniences and dangers which the kingdom lay under, might have been totally, or in a great measure prevented, in case his majesty had accepted of the advice by them given in their address of the 26th

1677-8.

Temple's  
mem.  
Kennet.  
Echard,  
III. p. 443.

An address  
gives the  
king occa-  
sion to ad-  
journ the  
parliament.

Acts passed.

1678.

The king  
asks the ad-  
vice of the  
two houses.  
Temple's  
mem.  
Echard,  
May 4.

The advice  
of the com-  
mons dis-  
pleases him.  
A second  
address.  
Echard,  
III. p. 445.  
J. Phillips.

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f In the poll bill there was one strict appropriating clause, for the money so levied, to be applied to no use but the intended French war; and also

another clause, prohibiting the importation of any French commodities for three years. Idem, p. 444.

1678.

“ of May last, and the 31st of January: they besought him  
 “ therefore, that he would be pleased to remove those coun-  
 “ sellors that advised him to give those answers which he did  
 “ to the said addresses.—In fine, that he would be pleased  
 “ to remove the duke of Lauderdale from his presence and  
 “ council.”—The king immediately answered, “ That he  
 “ was much surprized at the extravagancy of their address,  
 “ and unwilling at present to give it such a due answer as it  
 “ deserved.” Two days after, namely, the 13th of May,  
 he prorogued the parliament to the 23d of the same month.  
 Thus the proposal for a war with France never failed to  
 produce either an adjournment or a prorogation. It must  
 be remarked, that this was at the very time, the separate  
 peace between France and Holland was negotiating, which  
 the Dutch would never have resolved, could they have be-  
 lieved that England would declare for a war. Neverthe-  
 less, the king would still have it believed, he was disposed  
 to war, though hitherto he had not positively said it. To  
 this end, immediately after the poll bill had passed, he  
 raised thirty thousand men, who were compleated in six  
 weeks.

The king's  
angry an-  
swer.

He proro-  
gues the  
parliament.  
Temple's  
mem.  
Burnet.  
Kennet.

Richard,  
III. p. 455.

An embassy  
from the  
states, to  
acquaint the  
king, that  
he might yet  
prevent the  
peace.  
Temple's  
mem.  
p. 460, 461.

The king  
resolves to  
accept the  
money of-  
fered by  
France.

A treaty  
negotiated  
at London  
between  
Charles and  
Lewis.

While these forces were raising, and before the proro-  
 gation of the parliament, the states general sent Van Lewen  
 to the king, to acquaint him, that they were disposed to  
 a peace, because they saw, there was no reliance on the  
 uncertain measures of England. That however, if the  
 king would immediately declare war against France, they  
 would break off all negotiations, and vigorously prosecute  
 the war pursuant to their alliances, and that his declaration  
 was the only thing that could prevent a peace. This was  
 declared to the king by sir William Temple from the states  
 ambassador. The king now finding that a positive answer  
 was to be returned, which he had hitherto avoided, told sir  
 William Temple, “ That since the Dutch would have a  
 “ peace upon the French terms, and France offered money  
 “ for his consent to what he could not help, he did not  
 “ know why he should not get the money.”

The weakness of this evasion is manifest: for though the  
 ambassador of the states had declared, there should be no  
 peace, if the king would really engage in a war, the king,  
 suppressing this positive declaration, supposed that the states  
 were for a peace upon any terms. Upon this false supposi-  
 tion, he ordered sir William Temple to treat with Barillon  
 the French ambassador; but sir William wisely declined  
 such a negotiation. What Temple refused was undertaken  
 by

1678.

by others, and the same author says, that amongst the articles proposed by the ambassador of France, for concluding a private treaty with the king, there was one article which was so offensive, that the king assured him he would never forget it while he lived. He says no more, whether because he was not informed of it, or did not think proper to divulge what he knew. But dr. Swift, who published fir-<sup>Temple's</sup> William Temple's letters, acquaints us with that remarkable<sup>lett. fol.</sup> passage, namely, "That France, in order to break the<sup>P. 464</sup> force of the confederacy, and elude all just conditions of a general peace, resolved by any means to enter into separate measures with Holland, to which end it was absolutely necessary to gain the good offices of the king of England, who was looked upon as the master of the peace whenever he pleased. The bargain was struck for either three or four hundred thousand pounds: but when all was agreed, mr. Barillon, the French ambassador, told the king, that he had orders from his master before payment to add a private article, by which his majesty should be engaged, never to keep above eight thousand men of standing troops in his three kingdoms. This unexpected proposal put the king in a rage, and made him say, God's fish! Does my brother of France think to serve me thus? Are all his promises to make me absolute master of my realms come to this? Or does he think that a thing to be done with eight thousand men?"

Hence it evidently appears, for what the thirty thousand<sup>The appa-</sup> men the king was raising were intended. They could not<sup>rent design</sup> be levied for a war against France, though the king used<sup>of Charles</sup> that pretence, since he had already made his bargain with<sup>from this</sup> that crown for four millions of livres. Nothing else therefore can be thought, but that the king seeing the peace upon the point of conclusion, which he only could, but would not prevent, imagined that after the peace, the king of France would assist him to become absolute master in his kingdoms, and furnish him with money to maintain the thirty thousand men without his applying to the parliament. If this be not so, what account can be given of his conduct in raising an army, at a time when all his proceedings showed, he had not the least desire to make war upon France?

The king was deceived by the promises of Lewis XIV. <sup>He is abused</sup> who artfully took advantage of the eager desire of Charles<sup>by the king</sup> and the duke his brother to establish an absolute govern-<sup>of France.</sup> ment

1678. ment in England, to engage them in all the measures they had taken during the whole war, and which were so directly contrary to the interests of the kingdom. But when he saw himself secure of a peace with the Dutch, and, by a necessary consequence, of a general peace with all Europe, he made a jest of his promise to his friend. He thought, doubtless, it was not for the interest of France, that the king of England should be absolute, or rather, he feared to engage, for the sole interests of the king of England, in an undertaking capable of kindling a new war, in which all Europe might be concerned.

I know not whether the king consented to Lewis's demands, and am only sure, that he continued his levies, whether with intention to execute his designs without the assistance of France, or in the hope of obtaining better conditions from Lewis, by terrifying him with the apprehension of his joining with the allies, which might still be practicable. By degrees, he spoke more gently of war, and sufficiently declared his inclination for peace. In all appearance, he had adjusted matters with France.

The parliament sits.  
Kennet.  
Echard.

Affairs were in this situation when the parliament met the 23d of May, after a prorogation of ten days. The king opened the seventeenth session of this long parliament with a speech the substance of which was as follows :

The king's speech.

“ —I am resolved, as far as I am able, to save Flanders, either by a war or a peace, which way soever I shall find most conducing towards it.—If I were able I would keep up my army and my navy at sea for some time ; but I leave it to you to consider of supplies for their continuance or disbanding ; and in either case not to discourage so many worthy and brave gentlemen, who have offered their lives and service to their country, and in pursuit of your own advices and resolutions. I must tell you, that a branch of my revenue is now expiring, and another part of it is cut off by a clause in the poll bill ; that I have borrowed two hundred thousand pounds upon the excise at your request, of all which you are to consider. I never had any intentions but of good to you and my people, nor ever shall ; therefore I desire you will not drive me into extremities, which must end ill both for you and me, and (which is worst) for the nation. I desire to prevent all disorders or mischief that may befall by our disagreement ; but in case there do, I leave it to God Almighty to judge who is the occasion of it, One thing more I have to add, and that is, that I will never more

“ suffer

“ suffer the course and method of passing laws to be changed, 1678.  
 “ by tacking together several matters in one bill. The rest  
 “ I leave to the lord chancellor.

The chancellor's speech, according to custom, tended to excuse the king's measures. As he only enlarged upon what the king had said more succinctly, I think it needless to insert the speech, which offered nothing new or material.

The house of commons having adjourned themselves for three days, met again the 27th of May, and came to the following resolution; “ That the house taking into consi- A resolution of the commons, deration the state of the nation, and the expence occasion- Kennet, ed by the army, were humbly of opinion, that if his ma- Richard, jesty pleased to think fit to enter into the war against the III. p. 459, French king, the house was, and would be always ready 451, to assist him in that war; but if otherwise, they would proceed to the consideration of providing for the speedy disbanding of the army.”

The house further ordered, that the members of his ma- Communicated to the king. jesty's privy council should acquaint the king with this vote, and pray his speedy answer. The king replied, “ That the His answer, French king had made such offers of a cessation till the 27th of July, that he believed they would not only be accepted, but end in a general peace; yet, as that was uncertain, it would not be prudent to dismiss either fleet or army before that time.” Upon this answer the house voted, “ That all forces raised since the 29th of September last (except those transported to foreign plantations) A vote for disbanding the army, be forthwith paid off and disbanded, and that they would consider of a supply for that purpose.” Accordingly the 4th of June the house voted two hundred thousand pounds for the disbanding of the army by the end of the month, and the next day they voted the same sum towards defraying the expences of the fleet.

Upon these votes the king, by a message, told the house, A message from the king, that his mind was still the same, that the army and fleet ought to be kept up till the expected peace should be concluded; and he further recommended to their consideration, “ Whether it were not dishonourable for him to recall his forces in Flanders from those towns which he had taken into his protection, before they could provide themselves of other succours.” Upon this consideration the commons extended the time, as to the forces in Flanders, to the 27th day of July.

The

1678.

A vote to  
grant no  
more money  
during the  
session.

The king  
acquaints  
the houses  
with the  
peace of  
Nimeguen.  
June 18.  
Richard,  
II, p. 451.

Demands  
money.

And an aug-  
mentation of  
his revenue.  
Burnet,  
p. 421.

The 15th of June, the house resolved, that, "after the Tuesday following, no motions should be made for any new supplies of money, till after the next recess." As hitherto the house had experienced, that the king only amused them, and intended to have the money before he positively declared himself, they resolved to put him under a necessity of declaring, within three days, for fear he should continue to amuse them, till it was too late. Accordingly, on that very Tuesday the king came to the house of peers, and, sending for the commons, told both houses, "That the peace between France, Spain, and Holland, was almost concluded, in which his part would be not only that of mediator, but also to give his warrants in it. That Spain writes word, that unless England bears the charge of maintaining Flanders, even after the peace, they will not be in a condition to support it long. Therefore to that end it was necessary to keep up the navy at sea; and not only so, but to give the world some assurance of being well united at home: that though the house of commons might think such a peace as ill a bargain as a war, because it would cost them money, yet if they seriously consider, that Flanders had been lost, and perhaps by this time, he believed they would give much greater sums than that would cost, rather than the single town of Ostend should be in French hands, and forty of their men of war in so good a haven, over against the river's mouth, Then he insinuated to them, "That they could not but be pleased to understand the reputation England had gained abroad, by having in forty days, raised an army of thirty thousand men, and prepared a navy of ninety men of war; therefore, if they desired to keep up the honour of the crown at home, and look to the safety of the ballance of affairs abroad; if they desired he should pass any part of his life in quiet, and all the rest in confidence and kindness with them, and other future parliaments, they must find a way not only to settle for his life his revenue as at Christmas last, but also to add a new fund of three hundred thousand pounds per annum, upon which he would pass an act to settle fifty thousand pounds upon the navy and ordnance, and should be likewise ready to consent to all such laws as they should propose for the good of the nation." He lastly reminded them, "to enable him to keep his word with the prince of Orange in the payment of his niece's portion, which was forty thousand

“ thousand pounds ; the first payment being now due, and  
 “ demanded by him.”

1678.

Would not one think at reading this speech, that the king had hitherto kept the ballance of Europe perfectly even, and was thereby entitled to demand, that he should be enabled to preserve it? Would not one think, that he had done the nation some important service, which deserved an augmentation to his revenue of three hundred thousand pounds a year? But the commons were so used to such speeches, that they made no impression upon them. If their distrust of the king had been hitherto great, it may be affirmed, it considerably increased, when they saw a peace concluded, which diminished not the great power of France, but left Europe exposed to her mercy. It was evident, the king might, if he had pleased, have procured a more advantageous peace. After this, it is not strange, that his strict union with France, was suspected to conceal designs which were not for the good of the nation. Accordingly, when the commons came to debate on the additional revenue demanded by the king, it was unanimously rejected<sup>g</sup>. Moreover, the house refused to give a compensation for the loss sustained by the king in the prohibition of French commodities. In short, the lords having passed the bill for disbanding the army, with an enlargement of the time prefixed for one month longer, the commons absolutely refused their consent to the amendment.

Echard.  
 Burnet,  
 III. P. 452<sup>d</sup>

The king perceiving by this, what he was to expect from the commons, came to the parliament the 15th of July, and passed several bills, of which these were the principal.

1. An act for granting a supply of six hundred and nineteen thousand, three hundred and eighty pounds, for disbanding the army, and other uses therein mentioned. 2. An act for granting an additional duty to his majesty upon wines for three years. 3. An act for burying in woollen. This act, which is still in force, is very serviceable to the flannel manufacture, and consequently makes a great consumption of wool.

Acts passed  
 Statute b.

These acts being passed, the chancellor acquainted both houses, that the king thought proper to prorogue them to

The parliament  
 prorogued.  
 the Kennet.  
 Echard.

<sup>g</sup> It was said, there was a demand for a revenue, which would furnish the court so well, that there would be no more need of parliaments. The court

party thought such a gift as this would make them useless. So, the thing was upon one debate rejected without a division. Burnet, p. 421.

1678. the first of August, and so to keep them in call, by short prorogations, but that his intention was, they should not meet till winter, unless there was occasion for their assembling sooner. Thus ended the seventeenth session of this parliament. And thus England saw herself engaged in an expence of six hundred thousand pounds, to pay an army and fleet, which certainly had not been prepared to make war with France, or for the security of England.

A difficulty  
started, re-  
lating to the  
evacuation  
of some  
towns by the  
French.  
Temple's  
mem.  
p. 463.  
Buznet.

While the parliament was sitting, the states general seeing that nothing was to be hoped for from England, treated with France, both for themselves and Spain, with regard to the Netherlands. At last, every thing being settled, and the king of France promising to restore to the Spaniards, Ghent, Aeth, Charleroy, Oudenard, Courtray, and Limburg, the states ordered their plenipotentiaries at Nimeguen to sign the peace the last of June. It was universally expected, that the peace would be signed that day. But as the time for this restitution had been neglected to be fixed, (the Spaniards and Dutch not doubting but it was to be immediately after the exchange of the ratifications) the Spanish ambassador happened the day before, to ask the French plenipotentiaries, when they would restore the towns? To this they positively answered, that it would not be till after the restitution of the towns taken from the king of Sweden, by the allies in the north<sup>b</sup>. This unexpected pretension put a stop to the signing of the peace, and the Dutch plenipotentiaries received express orders from their masters not to sign, unless France would engage to restore the six places, upon the ratification of the treaty. But the French were immovable, and appeared resolute to continue the war, unless Sweden was satisfied.

A league  
between  
Charles  
and the  
states.  
Temple's  
mem.  
p. 464.

Charles being informed of this new difficulty, and told moreover by the French ambassador, that it was his master's intention, immediately sent sir William Temple to Holland, with full power to sign a league with the states, by which they should be mutually bound to continue the war, in case France should not agree to evacuate the six towns within such a time. This league was really concluded and signed the 26th of July, to the great satisfaction of the prince of Orange, and those who thought the peace very disadvantageous.

The

<sup>b</sup> The king of Denmark, and the elector of Brandenburg, who had been driven out of Germany. Buznet p. 433.

1678.

The readiness with which this resolution was taken by the king, much surprized those who from his former proceedings had no great opinion of his sincerity. But when it was seen that the League was concluded, and France continued obstinate, it was hoped, the war would be renewed with more vigour than ever, and that England would incline the ballance to the side of the allies. It is difficult to discover the motive of the king's vigorous resolution. Some have believed, he was really offended at the contempt France seemed to show of his mediation, in starting such an incident. Others have thought, that foreseeing France would at last comply, notwithstanding her seeming resolution, he had a mind to redeem his credit by his vigour with the English, who till then strongly suspected him of too close a correspondence with that crown. Others have judged, that he took this resolution, in order to obtain a large supply from the parliament, not doubting but he should be afterwards able to procure a peace.

However this be, it appeared shortly after, that the king repented of what he had done, and feared that his league would rekindle the war. At the time that the Dutch were preparing to improve this happy juncture, to break off the negotiation with France, and to rise in their demands, one du Crofs, an agent of Sweden at London brought an express order from the king for sir William Temple to repair immediately to Nimeguen, and use his utmost endeavours to persuade the plenipotentiaries of Sweden to consent to the evacuation of the six towns within a limited time. The king ordered him likewise to assure them, that after the peace he would use the most effectual endeavours he could, for the restitution of all the territories the Swedes had lost in the war. It was not difficult for sir William Temple to infer from hence, that the king had no inclination to quarrel with France. But he was still more fully convinced, when he was informed from pensionary Fagel, that du Crofs had been with the states deputies, and acquainted them with the order he had brought; that he had also said, the terms of the peace were absolutely agreed between the kings of France and England, and from some expressions he had heard the king use, intimated, it would be in vain to pretend to prevent it. As sir William and the pensionary could not doubt that du Crofs was sent by the king, they concluded, either the king had changed his mind, or had never designed to enter into a war with France. Wherefore the states, instead of forming new schemes,

Charles dis-  
concerts the  
measures of  
the states.  
Id. p. 465.  
R. Coke.

1678. schemes, were contented with the plan already agreed on, with a resolution however not to sign the treaty till the restitution of the six towns was assured within such a time<sup>1</sup>.

Temple.  
Raisage.

Since the league had been concluded at the Hague, the king of France, to whom it was communicated, had used all possible artifices to elude, and bring it to a negotiation, with an offer to treat upon it, either at St. Quintin or Ghent. But the states, on the contrary, had expressly ordered their ambassadors to break off the negotiation, if the peace was not signed by such a day, with the article of the evacuation of the towns in a limited time. Sir William Temple came to Nimeguen but three days before the expiration of the time fixed by the states. On his arrival he found very little disposition on either side towards signing the peace; the French and Dutch appeared equally inflexible, and the latter would not hear either of any negotiation or delay. At last came the critical day, the 11th of August, fixed by the treaty at the Hague, in the morning of which the French ambassadors desisted from their pretensions, and the peace was signed before twelve that night. This gave France the desired satisfaction of making a separate peace with Holland, which was immediately followed by a peace between France and Spain, and some months after with all the confederate powers, except the duke of Lorraine, who could never obtain his re-establishment. It may be affirmed with great truth, that the king of England might have procured Europe a more advantageous peace, since the parliament would have granted him the necessary supplies, if he had pleased to act agreeably to the interest of Europe in general, and of England in particular. His conduct can only be ascribed to his desire of executing the project of rendering himself absolute, and introducing the popish religion in England, which he thought could not be accomplished without the assistance of France.

The peace  
signed.

Blockade of  
Mons.  
Temple.  
Raisage.

The league concluded between England and Holland, the 26th of July, had, as I said, fixed the 11th of August for signing the peace. In this interval the king of France had by his general the duke of Luxemburgh blocked up Mons. All his artifices to draw the affair of the evacuation

<sup>1</sup> This affair of de Croix was transacted, one morning, in an hour's time, in the duchess of Portsmouth's lodgings, where the orders were dispatch-

ed by the invention and pursuit of monsieur Barillon, the French ambassador. Temple's mem. p. 466.

tion into a negotiation, were only to gain time for Luxemburgh to become master of Mons before the peace was signed. But the Dutch being bent not to enter into treaty upon that affair, the French general had not time to make any great progress before that place. Mean while the prince of Orange being informed that peace was upon the point of being signed, and desiring to distinguish himself by some great action, marched directly to the duke of Luxemburgh, surprised him, and gave him a considerable check<sup>k</sup>. This battle, called afterwards the battle at St. Denys, being fought the 14th of August, three days after the peace was signed, gave various opinions concerning this action of the prince of Orange. Some said he knew not the peace was signed. Others pretended, the news was brought him by an express, but not from the states, and therefore he might improve the present advantages. However, with this action ended a war which had lasted six years, and was at first so fatal to Holland, that the republick saw itself on the brink of destruction.

1678.

*This Battle of  
St. Denys.  
Temple.  
Basinge.*

We are now come to the discovery of the famous conspiracy known in England by the name of the popish plot, which makes one of the principal periods of this reign, and has given occasion to many politicians, to exercise their talents, some in supporting the reality, others in exposing the falsity of it. What I have been saying is sufficient to demonstrate the impossibility for any historian whatever, to please two sorts of men, whose sentiments are diametrically opposite, and who, through prejudice, religion, passion, and party interest are previously disposed to believe or disbelieve the popish plot. An historian is in vain impartial if his readers are not so. The course of this history engages me to speak of this famous conspiracy, on which depend all the events of the rest of this reign. It may well be judged, that I do not expect to satisfy all the world: this I take to be an impossible thing. What therefore I propose is, to inform the reader of the conspiracy itself, whether true or false, of the reasons and proofs alledged in maintenance of the reality or falshood, and to have the inward satisfaction of saying nothing but what I believe to be true.

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But

<sup>k</sup> The prince of Orange, in this battle, was in great danger of being lost, had not monsieur Ouwerkerk come to his relief, and killed a French captain that was just going to shoot him in the head. The duke of Monmouth, with some English and Scotch regi-

ments, was in that battle. Upon news of the peace next day, the duke of Luxemburgh, with a great compliment, desired an interview with the prince; and they met in the field. Basinge, tom. II. p. 941.

1678.

But before I proceed to the particulars, it is absolutely necessary to clear some ambiguities which I have observed in the writers of both sides, that the reader may be the better prepared to be upon his guard.

1 The word Plot in English, and Conspiracy in French, are always taken in a bad sense. Their general signification is, a design, but an unlawful design to attempt something against the person of the king or his ministers, against the constitution of the government, against the established religion, in short a design bad in itself, wherein the publick is concerned, and for the execution whereof means and instruments are already prepared. But if any one maintains, there is nothing unlawful in a design to change a bad religion established, in order to introduce a better; or if on supposition that a government was established by force and violence, it is affirmed, there is nothing ill or unlawful in a design to restore it to its antient state, it is plain, this will only be a dispute about words. Thus the fact or design in itself may be allowed, which by some will be termed a plot, whilst others will not give it that name. This has been the case with some authors who have spoken of the popish plot. They own there was a design to alter the form of the government, and subvert the protestant religion, and yet deny there was a plot.

2. This plot, true or false, contained three particular designs. 1. To kill the king. 2. To subvert the government. 3. To extirpate the protestant religion, and establish popery<sup>1</sup>. Most of the writers instead of considering these three articles, as branches of one and the same plot, have affected to separate them. Some have chiefly insisted upon the design of killing the king, and slightly touched upon the other two. They believed themselves able to prove the falshood of this design, and therefore concluded that there was no real plot. Others meeting with some improbabilities in the depositions of the witnesses concerning the design of killing the king, have chiefly endeavoured to prove the two last articles, from whence they have inferred, there was a true and real plot. The reader must

<sup>1</sup> The chief promoters and authors of this plot, were pope Innocent XI. cardinal Howard; Johannes Paulus de Oliva, general of the Jesuits at Rome; Pedro Jeronymo de Corduba, provincial of the Jesuits in New-Castile; la Chaise, confessor to Lewis XIV. the provincial of the Jesuits in England;

the Benedictine monks at the Savoy; the Jesuits and seminary priests in England, who were then in number about eighteen hundred; the lords Petre, Powis, Bellasis, Arundel of Wardour, Stafford, and several persons of quality. See Oates's narrat. H. Care, &c.

must be upon his guard against these artifices which entirely alter the state of the question, and always remember, that the plot did not consist in the single design to kill the king, or in the single design to subvert the government, or in that to change religion, but in all these three designs united together, and making but one and the same conspiracy.

3. Those who assert the reality of the plot, pretend, that the king, the duke of York, and some of the ministers were the heads and contrivers, and give many proofs, some of which have already appeared in the transactions of this reign. The opposite party object, that it is a manifest contradiction to make the king author of a plot to take away his own life: that, besides, conspiracies of subjects against their sovereigns have been common, but to accuse a prince of a plot against his subjects is a thing never heard of. To these objections it is answered, that though the plot contained three articles, the two last only were essential, and of these the king was the head and contriver: that the article of killing the king, though placed first, was only consequent to, and depending upon, the two others. That this was only the attempt of some of the conspirators, who believed, there was no readier way to execute the plot, than by setting the duke of York on the throne, who was less timorous and more active and daring than his brother. That therefore there is no contradiction in the supposition, that the king was the head and author of the two designs, of subverting the government, and changing religion; and that the other was carried on by some persons without his privity, in order to advance the progress of the plot. That therefore the difficulty of this objection proceeds from the preposterous joining the three articles when they ought to be separated, as on other occasions they are separated where they ought to be joined. As to the second objection, that it is impossible a king should plot against his subjects, it is drawn from the word plot, which is very rarely applicable to a sovereign. But it is by no means impossible for a king of England, whose power is limited by law, to form a design of establishing an arbitrary and despotick government, as appears in the examples of Edward II. Richard II. James I. and Charles I. Now a man may refuse, if he pleases, to give to such a design the name of a plot, provided he does but own the reality of the thing.

4. Lastly, it will be proper to premise, that there are three opinions concerning the reality or falshood of this plot. The first is of those who believe it true in all its

1678. Branches and circumstances. The second, of those who believe it absolutely false, and invented on purpose to exasperate the people against the king and the duke of York. The third, of those who believe it true with regard to the design of rendering the king absolute, and altering religion, but doubtful with respect to the design of killing the king, and who after duly weighing the pro and con, think they ought to suspend their judgment on this article. I thought it necessary to arm my readers with these few observations against the prejudices, they may have received in reading other historians, who scruple not, to disguise and curtail the facts, to pass over in silence such as are disadvantageous to them, to insist and lay great stress upon others; to insert in their relations many stories admitted by their party, but supported with no authority; to add numberless insinuations founded only on their prejudices: in a word, to suppose continually what they have undertaken to prove. This would evidently appear in a disputation in form, but is very easy to be done in a continued narrative, where the writer inserts whatever he thinks proper.

Tonge discovers the plot to the king, Oates's narrat. Burnet. Echard.

The 12th of August, (the day after the signing of the treaty of Nimeguen) Dr. Ezrael Tonge, a London divine, applied himself to one Christopher Kirkby<sup>m</sup>, who had some interest at court, to tell the king, there was a plot against his person. Kirkby discharging his commission the next day, whilst the king was walking in St. James's Park, the king ordered him to bring Tonge to him at eight that evening. Tonge came to Whitehall at the appointed hour, and delivered to the king a writing or narrative, which in forty three articles, contained the particulars of a plot. The king, after looking over it superficially, told Tonge, he was going to Windsor the next day, but would put the paper into the hands of the lord treasurer, Danby, on whom he ordered him to wait the next morning.

Burnet, p. 425.

Accordingly on the 14th of August, Tonge waited on the treasurer, who asked him if the paper left with the king, was an original or copy. Tonge answered, it was a copy of a writing which had been thrown into his house without his knowledge: but fancied it was by a certain person who had often entertained him upon subjects of the like nature. Some days after Tonge returned to the treasurer, and told him, he knew the man, who had even put into his hands another narrative larger than the former, which he

<sup>m</sup> Alchemist, that was sometimes in the king's laboratory.

be delivered to the treasurer. After the earl had looked over the paper, he asked Tonge, whether he knew the two men spoken of in the narrative, as the persons designed to kill the king, and went by the name of Honeft William, and Pickering. Tonge answered, he knew them, that they walked frequently in the park, and if a trusty person was appointed to go with him, he doubted not but he should have an opportunity of giving him a sight of them in a very short time. The treasurer asked, if he knew where they lodged, that they might be secured. Tonge answered he did not, but would endeavour to inform himself.

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The treasurer having given the king an account of what he had learned from Tonge, and of the contents of the two narratives, desired him at the same time, that a warrant might be sent for apprehending Honeft William, and Pickering, and some other members of the council be informed of an affair which concerned his majesty's life. But the king would neither suffer the two men to be apprehended, nor permit the earl to speak of it to any person living, and particularly to the duke of York.

who forbids  
the publica-  
tion of it.

Some days after, Tonge sent word to the lord treasurer, that he knew where Honeft William and Pickering lodged: he said moreover, some of the intended assassins were to go within two days to Windsor; but that he would give notice of the time fixed for their journey, that they might be arrested at their arrival. But some days after, he pretended, the journey had been prevented by an accident to one of their horses. The king from thence concluded the whole to be a fiction, and though the truth might easily have been discovered, by apprehending the two men whose lodgings were known, he would never permit, either that they should be apprehended, or the affair communicated to any member of the council, saying, "He should alarm all England, and put thoughts of killing him into people's heads who had no such thoughts before."

This reason being, as appears, very weak, it can only be inferred from the king's conduct, that he believed not the plot, or had some interest to show he did not believe it.

Three days after, Tonge writ to the earl of Danby, that a packet of letters was to go to the post house in Windsor, directed to one Bedingfield a priest. The packet came, indeed, and Bedingfield, after reading the letters, carried them

Forged let-  
ters directed  
to Beding-  
field; a po-  
pish priest.

G g 3

them

Burnet,  
p. 425.  
Edward.

n His true name was John Groves.  
Dapce's narrat. p. 6,

o The duke of York's confessor.  
Ibid,

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them to the duke of York, telling him, " He feared some ill was intended him by the said packet, because the letters therein seemed to be of a dangerous nature, and that he was sure they were not the hand writing of the persons whose names were subscribed to the letters". The king being more confirmed in the belief that there was nothing real in the pretended plot, seemed resolved not to permit the papers or informations received from Tonge to be produced. But the duke of York was so very earnest to have the letters, directed to Beddingfield, examined by the council, that the king at last consented, and gave the treasurer leave to declare at the same time the intelligence received from Tonge, and so the affair became publick.

I have not hitherto mentioned the famous Titus Oates, principal actor in this play, because having resolved to advance nothing but what I believe exactly true, I did not think proper to adopt whatever has been said concerning him and his secret conferences with dr. Tonge, of which not a single voucher is produced. However, I think myself obliged briefly to relate, what has been advanced by others, though with no other certainty than their own testimony.

Account of  
Titus Oates,  
Echard,  
III. p. 461.

" Titus Oates was the son of a ribbon weaver, who afterwards turning anabaptist preacher, and being chaplain to a regiment of Cromwell's forces in Scotland, was there clapt up in prison upon Overton's plot against that usurper; but having the fortune to escape upon the king's restoration, he conformed to the church, and got the living of Hastings in Suffex; where he continued till he thought fit to return again to his former anabaptistical station. This son of his had his first education in Merchant Taylor's school in London, and next in the university of Cambridge, where he was student in two colleges, Caius's and St. John's, and where he lost no reputation behind him for his parts or learning; though he seemed distinguished for a tenacious memory; a plodding industry, and an unparalleled assurance, besides a particular canting way that appeared in his academical exercises. Removing from thence he slipped into orders, and for a while officiated as curate to his father; after which he enjoyed

p The duke carried them to the king. And he fancied they were writtether by Tonge or Oates, and sent on design to have them intercepted, to give the more credit to the discovery.

The duke's enemies, on the other hand, gave out, that he had got some hints of the discovery, and brought these as a blind to impose on the king, Burnet, p. 425.

"joyed a small vicarage in Kent<sup>a</sup>, from whence he re-  
 "moved to another in Suffex, and after that for some time  
 "got into the duke of Norfolk's family, when he particu-  
 "larly sided with the socinians at London; so that he be-  
 "came very uncertain as to his principles and religion, and  
 "infamous as to his morals". In the last year, 1677, be-  
 "ing abandoned and destitute of common necessities, he fell  
 "into the acquaintance of dr. Ezrael Tonge, a city divine,  
 "a man of letters, and a prolifick head, filled with all the  
 "Romish plots and conspiracies since the reformation".  
 "This man was remarkable for his parts and great reading,  
 "but of a restless and humorous temper, full of variety of  
 "projects, and scarce ever without a pen in his hand, and a  
 "plot in his head. At first he seemed to entertain Oates  
 "out of charity, who then went by the name of Ambrose;  
 "and complaining that he knew not where to get bread,  
 "the doctor took him to his house, gave him cloaths, lodg-  
 "ing and diet, and told him he would put him in a way.  
 "After which, finding him a bold undertaker, he persuaded  
 "him to insinuate himself among the papists, and get par-  
 "ticular acquaintance with them: which being effected, he  
 "let him understand, that there had been several plots in  
 "England to bring in popery, and if he would go beyond  
 "sea among the jesuits, and strictly observe their ways, it  
 "was possible there might be one at present; and if he  
 "could make that out, it would be his preferment for ever:  
 "but however, if he could get their names, and some in-  
 "formations from the papists, it would be easy to rouse  
 "people with the fears of popery."

Pursuant to this advice, Oates reconciled himself to the  
 church of Rome, and moreover, according to some, entered  
 into the society of the jesuits. In April 1677, he was sent  
 to Valladolid in Spain, where he remained six months, and  
 then returned to England. After a month's stay he was sent  
 to St. Omer's, the English seminary, for farther discoveries.

In short, the latter end of June the same year, he returned  
 to England, and repaired to his friend Tonge, furnished with

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materials

<sup>a</sup> Bobbing, which was given him in  
 1672, but the air being very bad he  
 left it. H. Care. Hist of the plot,  
 p. 64.

<sup>r</sup> Bishop Burnet says, "He was  
 "proud and ill natured, haughty, but  
 "ignorant. He had been complained  
 "of for some very indecent expres-  
 "sions concerning the mysteries of the

"christian religion. He was once  
 "presented for perjury."—p. 425.  
<sup>s</sup> Bishop Burnet gives him this cha-  
 "racter: "He understood gardening  
 "and chemistry, and was full of pro-  
 "jects and notions. He was a very  
 "mean divine, and seemed credulous  
 "and simple; but always passed for a  
 "sincere man," p. 434.

1678. materials picked up at St. Omer's. Out of these materials Tonge and Oates, at several conferences together either at London, or in a hired house at Lambeth<sup>t</sup>, framed the papers or narratives delivered by Tonge to the king and the lord treasurer Danby, as copies of what Oates had written with his own hand.

I omit many circumstances of what is said to pass between Tonge and Oates, which seem to suppose, either there was some third person who related all these particulars, or else, that one of the two discovered them before his death. The intent of this recital is, as may easily be seen, to show, that Tonge and Oates were the inventors of the plot, which made so much noise afterwards, and never existed but in their heads. It must be owned, that if this was well proved, it would be a sufficient evidence, that the plot discovered by Oates was a fiction. In the recital appears Tonge a divine, who (having a prolific head filled with all the Romish plots and conspiracies since the reformation) fancies it possible there may be one now on foot. He persuades Oates to insinuate himself amongst the papists, turn catholick, and be entered into the society of the jesuits, in order to have opportunity to make discoveries. Oates complies, returns from St. Omer's, freighted with materials, out of which these two men draw up a narrative of a horrid plot against the person of the king, the government, and the protestant religion, and Tonge undertakes to deliver it to the king. If all this be true, there is need of no other proofs: this alone is sufficient to demonstrate that the plot was a fiction, and a chimera. Wherefore, if ever there is reason to give the readers some assurance of what is advanced, with so many circumstances, it is in such a case as this, which alone decides the question. But I must warn the reader, that those who have advanced these facts, have not vouchsafed to give the least proof. They have not said, that they were received from such or such persons then living. They have cited no authors before them, nor, in short, produced one voucher of what they have advanced concerning facts, which naturally could come to their knowledge, but by some extraordinary means. It is a design managed between Tonge and Oates alone, without the intervention of any third person. It is certain, neither Oates nor Tonge revealed these pretended particulars before their death, or ever retracted their infor-

<sup>t</sup> One Lambert's house, a bell founder's, at Vauxhall, called afterwards the Plot house. Echard.

informations. It is therefore justly wished, that those who have reported their secret conferences with such particular circumstances, had produced some authority for what they have advanced. 1678.

Here follows the substance of the writing delivered by Tonge to the king, in form of a deposition. Titus Oates was the speaker, though he had not signed it, and though his name did not appear in it.

“ That in April 1677, the said deponent was employed by Strange, the then provincial, Keins, Fenwick, Harcourt, and other jesuits in London, to carry their letters to one father Suiman, an Irish jesuit, at Madrid in Spain : That in his journey he broke open the said letters, and found therein, an account given of what jesuits they had sent into Scotland, to encourage the presbyterians to rebel ; and that they feared not success in their designs, by reason of the king’s being so addicted to his pleasures, and their interest in the duke of York, &c. That he saw several students sent out of England to Valladolid, who were obliged by the jesuits of the college to renounce their allegiance to his majesty of great Britain ; and that one Armstrong, in a sermon to the students there, did affirm, that Charles Stuart, the king of England, is no lawful king, but comes of a spurious race, and that his father was a black Scotchman, and not king Charles the first ; with several other traiterous words and correspondencies which he there discovered. Being returned to England, where he made farther discoveries ; about the beginning of December, the said deponent was sent with another treasonable letter, written by Strange, and several other jesuits, to St. Omer’s, wherein was expressly mentioned their design to stab or poison the king ; and that they had received ten thousand pounds from la Chaise, which was in the hands of one Worlsey a goldsmith in London. There was likewise inclosed a letter of thanks to father la Chaise, which the deponent carried to him from St. Omer’s to Paris. During this his journey, and being abroad, he saw and read many other letters, all tending to the same end of cutting off the king, subverting the present government of England, and restoring the Romish religion ; and they were so confident as in some of them to say, that his majesty of England was brought to that pass, [that is, so possessed of their fidelity] that if any malecontents among them should not prove true, but offer to discover, he would never believe them.”

The substance of  
T. Oates’s  
narrative.

But

1678.

But one of the principal things he tells us in this narrative, was, " That April 1678, he came over from St. Omer's with more jesuits, to the grand consult which was held in May, by about fifty jesuits, at the Whitehorse tavern in the Strand, where they met and plotted their designs for their society: from whence they dispersed into several clubs, five or six in a company, where they signed a resolve for the death of the king, with the manner how it was to be done, which the deponent, as a messenger, carried from one company to another to be signed. Very shortly after he returned to St. Omer's, and towards the end of June came back to England; where he soon became privy to the treaty with Wakeman to poison, and Honeft William and Pickering to shoot, the king; and that he heard Keins a jesuit preach a sermon to twelve persons of quality in disguise; wherein he asserted, That protestant and other heretical princes were ipso facto deposed, because such, and that it was as lawful to destroy them, as an Oliver Cromwell, or any other usurper, &c."

p. 23, 24.

Besides these new discoveries, he tells us, that he learnt several other remarkable particulars from them, as, " That the late wars, and many other mischiefs were brought about by them; but more particularly the dreadful fire in 1666, which was principally managed by Strange the provincial; in which their society employed eighty, or eighty six men, he could not tell which, and spent seven hundred fire balls, and, over and above all their vast expence, they were fourteen thousand pounds gainers by the plunder, amongst which was a box of jewels, consisting of a thousand caracts of diamonds. He farther learnt, that the fire in Southwark in the year 1676, was brought about by the like means; and though in that they were at the expence of a thousand pounds, they made a shift to get two thousand clear into their own pockets."

The council pays no regard to this discovery.

Tonge and Oates take measures to bring the affair before the parliament;

This deposition, as I said, was at last communicated to the council by the king's permission. Probably, the king so managed that the council took no great notice of the affair, and looked upon the discovery as a forgery. After that, the lord treasurer seeing he was clear of the business, since it was imparted to the council, would no longer hearken to Tonge, but when he came, dismissed him, either unheard, or with injurious language. This made Tonge and Oates resolve to bring the affair before the parliament. But as they had cause to fear, that the court would find means to suppress this deposition, or represent it as a writing without

name

name and authority, they applied to sir Edmundbury Godfrey, a justice of peace in St. Martin's parish, and Oates requested him to receive his oath, that the paper which he put into his hands, contained matters of treason and other high crimes. Godfrey was unwilling to grant their request, and the rather, because he was not suffered to read the particulars. But at last, Tonge deposing upon oath, that the same had been communicated to the king, Oates was sworn, and a certificate given him. This was the 6th of September.

1678.

and in order  
to it apply to  
Godfrey  
justice of  
peace.  
Sept. 29.  
Oates's nar.  
Burnet.

Some time after, the king being returned to Whitehall, whether the council had been informed of the resolution of Tonge and Oates, or feared to be accused of negligence, in an affair which concerned the king and the publick, or from some other motive, they resolved to examine into the bottom of the matter. For this purpose, the 27th of September, six weeks after the king had received the first information, Tonge was sent for by the council, but not coming till the council was risen, he was ordered to attend the next day. In this interval, Tonge took another copy of Oates's deposition, and, it is pretended, inserted several articles which were not in the first, but these new informations are not specified. However, this was the copy which was afterwards published under the title of Oates's narrative. This copy being finished, Tonge and Kirkby carried it to sir Edmundbury Godfrey the justice, and left it in his hands.

The council  
calls before  
it the affair  
of the plot.  
Hist. of the  
plot.  
Echard.  
Burnet.

On the morrow, the council examined Tonge and Kirkby, and then ordered Oates to be called in. After their examination, Tonge and Oates had lodgings assigned them in Whitehall, by order of the council, with a guard for their security, and a weekly salary for their subsistence. And now the privy council for above a week, sat twice a day on this affair, and employed Oates, as he was the first discoverer of the plot, three days and nights to search after and seize the persons of the conspirators, and secure their papers. By his means, and upon his depositions, were arrested, sir George Wakeman, the queen's physician, mr. Edward Coleman, the duke of York's secretary, mr. Richard Langhorn, Thomas Whitebread, John Gawen, Anthony Turner, William Ireland, William Marshall, William Rumlev, James Corker, Thomas Pickering, and many others. The eight last were Romish priests or jesuits. In Coleman's

Provides for  
the security  
of the in-  
formers.  
Burnet.  
Echard.

Several of  
the conspi-  
rators ap-  
prehended.  
Sept. 30.  
Oct. 2, &c.  
H. Case's  
hist. of the  
plot.

house Echard,  
III. p. 466.  
Kennet.

<sup>a</sup> He took two copies more which were sworn to, and whereof one was left with the justice. Echard.

1678. house were found letters which greatly confirmed Oates's testimony, and will be hereafter remembered \*.

Confirma-  
tion of the  
people.

Though no particulars of the plot had yet been published, the people were informed in general, that the design of it was to kill the king, subvert the government, and change the established religion. The imprisonment of so great a number of Roman catholicks, suggested that they were at least suspected of being concerned. This was sufficient to make them believed the sole authors of the plot. But an accident, a few days after, so confirmed this belief, that

The murder  
of sir Ed-  
mundbury  
Godfrey.  
Relat. of his  
murder.  
Keanet.  
Burnet.

nothing was able to shake it. This was, that sir Edmundbury Godfrey, who had sworn Oates to his narrative, after having been missing four days, was found dead in a ditch about a mile out of London <sup>z</sup>, with his sword through his body, his cane and gloves by him, rings upon his fingers, and money in his pocket <sup>y</sup>. The coroners inquest sat upon the body, but meeting with some difficulties adjourned to the day following, when, upon the declaration of the surgeons, they gave up their verdict, " That he was murdered by

Richard.

The papists  
accused of it.

" certain persons unknown to the jurors, and that his death " proceeded from suffocation and strangling <sup>z</sup>; and that his " sword had been thrust through his body some time after " his death, and when he was quite cold, because not the " least sign of blood was seen upon his shirt, or his clothes, " or the place where he was found." Though it was possible, this murder might not have been committed by the papists, they were so readily and publickly accused, that it was not safe to deny it, and that the people drew from it an invincible proof of the plot, and the assurance of the papists being the authors. It was not conceived, what interest the protestants could have to murder this justice, but it was obvious that the papists might do it in revenge for his swearing Oates to his narrative. The catholicks were then in a situation not to dare to vindicate themselves, The people

were

\* Coleman, says Burnet, had a whole day free to make his escape, if he thought he was in danger. And he had conveyed all his papers out of the way: only he forgot a drawer under the table, in which the papers relating to 1674, 75, and part of 76, were left. Had he withdrawn all his papers nothing had appeared; had he left all, it might have been concluded, that the whole secret lay in them, p. 426.

<sup>z</sup> Near St. Pancras church, by Prim-

rose-hill. He was missing from October 12, to October 17, on which last day he was discovered. Relat. of his murder, p. 5.

<sup>y</sup> Namely, seven guineas, four broad pieces, two small pieces of gold, and four pounds and half a crown in silver, Idem, p. 5.

<sup>z</sup> It is remarkable, that a large laced band, which he had on when he went from home, was off when his body was found. Idem, p. 6

were univerſally incenſed againſt them, and the court would not openly protect them. It paſſed therefore for certain, that the papiſts were Godfrey's murderers. Of this will hereafter appear poſitive evidence. But as, a few years after, the face of affairs was changed, the papiſts and friends of the court found means to give another turn to this murder. Firſt, they raiſed ſtrong objections to invalidate the depositions of the witneſſes. Secondly, they obſerved, that the death of ſir Edmundbury Godfrey could be of no great advantage to them, ſince he only ſwore Oates to his narrative, and from that time to his death meddled no more. Thirdly, they inſinuated, that Godfrey had murdered himſelf, out of fear of being hanged for not diſcovering ſooner what he knew. Fourthly, and upon this they chiefly inſiſted, they pretended that Godfrey had been murdered by the proteſtants, in order to throw the odium of his death upon the papiſts. Now as the papiſts had no intereſt to publiſh this murder, it is pretended, that his death was concealed till the body was found, and then publiſhed by thoſe who committed the deed, in order to charge the catholicks with it. But though it were true, that the whole city was filled with the rumour of Godfrey's murder the day after he diſappeared, it ſeems to me, that the conſequence drawn from thence would not be neceſſary. Thus much is certain, Godfrey was murdered, and the papiſts were charged with the deed, as long as the proteſtant party prevailed; but when the face of affairs was altered, the court party did, and ſtill do, accuſe the proteſtants of it<sup>a</sup>.

However this be, the king, who was then at Newmar-  
 ket, returning to London to hold the parliament, publiſhed  
 a proclamation, with the promiſe of five hundred pounds  
 reward to the diſcoverer of the murderers of ſir Edmund-  
 bury Godfrey. But as this proclamation had but little ef-  
 ſect, becauſe it was ſuggeſted that the diſcoverers would be  
 in danger of an aſſaſſination; the king publiſhed a ſecond,  
 with an aſſurance of his protection to thoſe who ſhould make  
 the diſcovery<sup>b</sup>.

### Mean

<sup>a</sup> Dr. Llyod and dr. Burnet. went to view the body; and, beſides the circumſtances abovementioned, obſerved, that his ſhoes were clean. A mark round his neck an inch broad. His breaſt all over bruised, and his neck broken. There were many drops of white wax lights on his breeches,

which he never uſed himſelf. And ſince only perſons of quality or prieſts uſe thoſe lights, this made all people conclude in whoſe hands he muſt have been. p. 249.

<sup>b</sup> Sir Edmundbury's corps being embalmed, was kept till October 31, when it was carried, in a very ſolemn  
 manner,

1678.

The treasurer communicates the plot to the council.  
Echard.

The king endeavours to conceal it from the parliament.

Echard,  
III. p. 472.

Mean time, the king was extremely perplexed. He had at first endeavoured to stifle the noise of this conspiracy, by concealing it from his very council; but was forced at last to consent it should be communicated to them: and the precautions taken by Tonge and Oates, in putting the deposition into the hands of a justice, had obliged the council to take precautions also for their own sakes, in causing many persons to be arrested. The murder of sir Edmund-bury Godfrey happening upon this, and the whole kingdom being alarmed at it, there was no possibility of stifling the noise of the plot, which had now reached the most distant parts. The king therefore resolved to take the only course left, which was to prevent, if possible, this affair from coming before the parliament. He was not ignorant of the disaffection of the commons. The transactions of the last summer showed, that he was suspected of designs prejudicial to church and state, and all his proceedings had given but too just cause for this suspicion. He therefore feared very justly, that the parliament would examine into the bottom of the plot; and, under a pretence of taking care of his person, discover many things which were yet to be concealed. For, as I have remarked, the plot contained three articles, namely, the three designs, of killing the king; subverting the government; and changing the established religion. In all appearance, the king believed not the first, but could not be ignorant of the two last. Nay, his whole conduct had made this so clear, that all the kingdom was in a manner convinced of it. To avoid therefore so dangerous a discussion; he resolved to take from the parliament the examination of the plot. For that purpose, he expressly commanded the earl of Danby, his prime minister, not to acquaint the two houses with what had passed through his hands, and resolved so to order it, that every thing concerning the plot should be left to the law, in the belief that it would be much easier for him to manage the judges than the parliament.

The 21st of October, the king opened the 18th session of this parliament with the following speech:

My

manner, from Bridewell hospital, of which he was one of the governors, to the church of St. Martin's in the fields, where he was buried. The pall was supported by eight knights, all justices of peace. All the aldermen of the city attended the funeral. Seventy two London ministers marched

two and two before the body. And great multitudes followed after, in the same order. An excellent sermon, suitable to the occasion, was preached, on 2 Sam. c. iii. v. 34. by dr. William Lloyd, vicar of St. Martin's Kennet, p. 352. Relat. &c.

# OF ENGLAND.

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1678.

My lords and gentlemen,

“ I Have thought the time very long since we parted last, <sup>The king's speech to both houses</sup>  
 “ and would not have deferred your meeting by so many <sup>prorogations.</sup> The Kennet.  
 “ prorogations, if I could well have met you sooner. The  
 “ part which I had this summer in the preservation of our  
 “ neighbours, and the well securing what was left of Flan-  
 “ ders, is sufficiently known, and acknowledged by all that  
 “ are abroad. And though for this cause I have been obliged  
 “ to keep up my troops, without which our neighbours had  
 “ absolutely despaired; yet both the honour and the interest  
 “ of the nation have been so far improved by it, that I am  
 “ confident no man here would repine at it, or think the  
 “ money raised for their disbanding, to have been ill em-  
 “ ployed in their continuance; and I do assure you, I am so  
 “ much more out of purse for that service, that I expect  
 “ you should supply it. How far it may be necessary, con-  
 “ sidering the present state of Christendom, to reduce the  
 “ land and sea forces, or to what degree, is worthy of all  
 “ our serious considerations.

“ I now intend to acquaint you (as I shall always do  
 “ with any thing that concerns me) that I have been in-  
 “ formed of a design against my person by the jesuits, of  
 “ which I shall forbear any opinion, lest I may seem to  
 “ say too much or too little: but I will leave the matter to  
 “ the law, and in the mean time will take as much care  
 “ as I can, to prevent all manner of practices by that sort  
 “ of men, and of others too, who have been tampering in  
 “ a high degree by foreigners, and contriving how to in-  
 “ troduce popery amongst us. I shall conclude with recom-  
 “ mending to you my other concerns. I have been under  
 “ great disappointments by the defect of the poll bill. My  
 “ revenue is under great anticipations, and at best was ne-  
 “ ver equal to the constant and necessary expence of the  
 “ government, whereof I intend to have the whole state  
 “ laid before you, and require you to look into it, and con-  
 “ sider of it, with that duty and affection which I am sure  
 “ I shall ever find from you. The rest I leave to the lord  
 “ chancellor.”

The king had hoped by his precautions to prevent the <sup>The earl of</sup>  
 parliament from taking cognizance of the plot. But the <sup>Danby com-</sup>  
 earl of Danby broke all his measures, by communicating <sup>municates</sup>  
 the very first day, Oates's narrative to the commons. <sup>the plot to</sup>  
 It was believed, he was either afraid of being called to an ac- <sup>mons.</sup>  
 count, <sup>Echard,</sup>  
 III, p. 472.

1678.

count, if he concealed from the parliament an affair of such importance, which had passed through his hands, or was willing to ingratiate himself with that house, in which he had many powerful enemies. The king was highly provoked with a procedure so contrary to his orders and designs, and gave him a severe reprimand; but the thing was without remedy.

And they to  
the lords.

Three ad-  
dresses from  
the houses to  
the king.  
Keanet.  
Richard.

The commons having communicated these informations to the lords, laboured incessantly upon the affair of the plot. For some days they sat from morning till late at night, and took extreme care to keep the minutes and votes of the house from being divulged. The lords were no less diligent; so that in two or three days, both houses presented three addresses to the king. The first was to pray him to appoint a fast. The second to require the removal of all popish recusants out of London. The third to pray the king's order to the lord chamberlain, that no unknown person might have access to his majesty.

It must be observed, these three addresses were all founded upon the discovery of the plot, and that both houses did not confine it to the single design of killing the king, but expressly added the two others, of subverting the government, and changing the established religion. This is a remark which is to serve for the whole process of the affair. For never did the two houses separate these three articles, a clear evidence that they believed the plot was not confined to the design of killing the king, as some would insinuate.

Oates ex-  
amined by  
the com-  
mons.  
H. Care.  
Richard,  
III. p. 474.

An objec-  
tion against  
Oates re-  
marked  
upon.

The same day that the third address was presented, namely the 24th of October, three days after the opening of the session, Oates was examined in the house of commons six or seven hours. After his examination, he was several times interrogated, according to custom, "Whether he knew any thing more of the plot, or any other persons concerned in it, than what he had already mentioned;" to which he solemnly answered, "He did not." And yet, he afterwards added several things to this deposition. As this is one of the objections against Oates's evidence, it will not be improper to inform the reader of what has been said pro and con.

First, it is said, that Oates having been examined upon oath by the house of commons, and having affirmed, he knew no more of the plot, could not afterwards add new depositions against other persons, without perjury. To improve this objection, it is said, he was solemnly interrogated, whether

whether he knew any thing more; and that he answered as solemnly, he did not. But this word solemnly is only used to aggravate the imputation of perjury. For it is easy to perceive, that a witness, at his first hearing, is not asked whether he knows any thing more, with greater solemnity than the other questions, upon which he has deposed. It is besides replied to this objection, that the oath taken by Oates before he was interrogated, properly reached only to the facts which he was to depose, and not to the question after his deposition, whether he knew any thing more of the plot? So the charge of perjury vanishes, unless it be proved, that he was again sworn upon the last question.

It is answered in the second place, that this objection being made to Oates on another occasion, he said, that having been three days and three nights without sleep when he was examined by the commons, and the examination lasting above six hours, it was not strange, that at the first hearing he should not recollect all he knew. I leave to the reader to consider the objection and answer.

I cannot forbear observing here a fallacy put upon his readers by a celebrated historian, in saying, "That he began so much to abound with new discoveries, that some began to suspect his veracity. Therefore, adds the historian, to put an end to all such doubtings, on the 31st of October, the commons resolved, nemine contradicente, That upon the evidence that has already appeared to this house, this house is of opinion, that there is, and hath been a damnable and hellish plot contrived and carried on by popish recusants, for assassinating and murdering the king, for subverting the government, and rooting out and destroying the protestant religion."

Besides that this author, in ascribing for sole motive to the commons the desire of putting an end to all doubtings of Oates's veracity, boldly accuses them of not acting uprightly, it may be demonstratively proved, that this could not be their motive, since the witness added nothing to his first deposition in the six days between his examination and the vote of the commons. I was willing to make this remark, to show, with what caution the historians who have writ of the affairs of that time, must be read.

The vote having passed in the house of commons, nemine contradicente, they ordered, "That this vote be communicated to the lords at a conference, and that the lords be desired to join with this house, in providing re-

1678.

“medies for the preservation of his majesty’s person and government, and the protestant religion.” Two days after in a conference between the two houses, upon the subject of the last vote of the commons, this report was made, “The lords have considered the vote of the house of commons communicated to them at the conference, and have most readily and unanimously concurred with them in it, nemine contradicente; and their lordships are very glad to see that zeal which the commons have shewed upon this occasion, and do fully concur with them, that the most speedy and serious considerations of both houses are necessary for prevention of the imminent dangers. In order whereunto their lordships have resolved to sit de die in diem, forenoon and afternoon, and desire that the house of commons will do the same.”

The lords  
concur with  
it.

A presumption  
for the  
reality of  
the plot.

If this proves not the plot to be real, it proves at least, that both houses believed it so, since there was not the least division upon this article. To deny therefore that the plot was real, it must be said, either that all the members of both houses were grossly mistaken, or that they acted in a spirit of prejudice and party, to trouble the court. But why should it be thought to trouble the court, if the king was not suspected to have been the principal author of the plot, though, doubtless, he was not concerned in the first article relating to the attempt upon his life, which, as I have said, was only an appendix of the plot, or at least was considered as such.

Several conspirators  
apprehended,  
of which five were  
popish lords.  
Octob. 14.  
Hist. of the  
plot.  
Richard.

The same day that the commons examined Oates, they sent for the lord chief justice Scroggs, who took his examination upon oath, and in the house sealed twenty six warrants for apprehending so many persons whom he had sworn against, among whom were the lords Powis, Stafford, Arundel of Wardour, Petre, Bellasis, and sir Henry Tichbourn baronet, all papists, who were sent to the Tower, and the rest to several prisons.

Proclamation  
against  
papists.

The king was so persuaded of his being suspected, that he thought himself obliged to seem equally convinced with the parliament of the danger. To remove therefore this suspicion, he published a proclamation in these words: “The lords and commons having taken into their serious consideration, the bloody and traitorous designs of popish recusants, against his majesty’s sacred person and government, and the protestant religion; therefore he commanded them all, except settled house keepers that

“would

" would take the oaths of allegiance and supremacy, to de-  
 " part the cities of London and Westminster, and all places  
 " within ten miles distant from the same." 1678.

The papists accordingly departed out of London; thought for so short a space, than in less than a fortnight they returned again, whether they had leave from their leaders to take the oaths, or knew such proclamations were never strictly executed.

Besides this; the king knowing, that among his foot and horse guards, there were many papists and new converts to the Romish religion, declared in council, and published an order, with a promise of twenty pounds sterling, to whoever should make discovery of any officer or soldier in his horse or foot guards, who having taken the oaths of allegiance and supremacy, and the last test, had since been perverted to the Romish religion. Another relating to the king's guards. Kennet, 21 Novemb. p. 352.

The commons not satisfied with these slight precautions, prepared a bill to prevent the danger from so many papists sitting in parliament, and particularly in the house of lords.

But this was only a preparative for the more easy prevention of the danger with which religion was threatened, from the hopes conceived by the papists of seeing the duke of York on the throne after his brother, who neither had, nor expected to have, any legitimate issue. This danger caused several members of the commons, to form the project of a bill for excluding the duke of York from the succession to the crown: but this was done by degrees. On the 4th of November, a debate was suffered to arise in the house, for an address to his majesty, that he would be pleased to remove the duke of York from his person and counsels. But this debate was adjourned to the 8th, and afterwards to the 12th of the month. Id. p. 334. Richard.

The king perceiving the intent of the commons, came to the parliament the 9th of November, and sending for the commons, made this speech to both houses.

My lords and gentlemen,

" I Am so very sensible of the great and extraordinary care  
 " you have already taken, and still continue to show, The king's speech to parliament. Kennet, p. 353. Richard.  
 " for the safety and preservation of my person in these  
 " times of danger, that I could not satisfy myself without  
 " coming hither on purpose to give you all my most hearty  
 " thanks for it. Nor do I think it enough to give you my  
 " thanks

1678.

“ thanks only, but I hold myself obliged to let you see with-  
 “ al, that I do as much study your preservation too, as I  
 “ can possibly; and that I am as ready to join with you,  
 “ in all the ways and means that may establish a firm se-  
 “ curity of the protestant religion, as your own hearts can  
 “ wish: and this not only during my time, (of which I am  
 “ sure you have no fear,) but in future ages, even to the  
 “ end of the world. And therefore I am come to assure  
 “ you that whatever reasonable bills you shall present to  
 “ be passed into laws, to make you safe in the reign of any  
 “ successor, (so as they tend not to impeach the right of  
 “ succession, nor the descent of the crown in the true line,  
 “ and so as they restrain not my power, nor the just rights  
 “ of any protestant successor) shall find from me a ready  
 “ concurrence. And I desire you withal, to think of some  
 “ more effectual means for the conviction of popish recusants,  
 “ and to expedite your counsels as fast as you can, that the  
 “ world may see our unanimity, and that I may have the  
 “ opportunity of shewing you, how ready I am to do any  
 “ thing that may give comfort and satisfaction to such du-  
 “ tiful and loyal subjects.”

Bedloe a se-  
 cond witness  
 in the plot.  
 Hist. of the  
 plot.  
 Burnet,  
 p. 431.  
 Richard.  
 R. Coke.

During these transactions, one William Bedloe who took  
 upon him the title of captain Bedloe, because he had served  
 in the Low Countries<sup>c</sup>, going from London to Bristol, writ  
 to secretary Coventry from Newbury, that he had many  
 secrets to discover, and therefore desired that he might be  
 arrested on his arrival at Bristol, and sent to London. If  
 I do not insert every thing said against Bedloe by certain  
 historians, it is their fault, because they have given no  
 authority for what they advanced, nor do I think myself  
 obliged to copy implicitly from authors who writ forty years  
 after the events, and have not thought proper to alledge  
 the least proof of what they assert. I shall however briefly  
 say, that they speak of Bedloe as of the greatest villain that  
 ever lived.

Bedloe was apprehended at Bristol, according to his de-  
 sire, and brought to London the 6th of November, when  
 the

<sup>c</sup> He had formerly been a servant to  
 the lord Bellasis, afterwards an ensign  
 in Flanders. About Michaelmas 1674,  
 he was sent for over by Harcourt, re-  
 commended by the English abbess at  
 Dunkirk, and so by degrees became  
 acquainted with the jesuits, and was at  
 last generally employed as an agent for  
 them, and sent frequently with let-

ters into foreign parts. Hist. of the  
 plot, p. 127.—Burnet says, Bedloe  
 had led a very vicious life. He had  
 gone by many false names, by which  
 he had cheated many persons. He had  
 gone over many parts of France, and  
 Spain, as a man of quality. And he  
 had made a shift to live on his wit-  
 or rather by his cheats, p. 432.

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the parliament was very busy upon the affair of the plot. A guard was immediately assigned him for his security, and a pension for his subsistence, with a lodging at Whitehall. The king was present at his examination before the two secretaries of state. He declared he had been bred a protestant of the church of England, but within two years persuaded to turn catholick by the jesuits. He said, he knew that sir Edmundbury Godfrey was murdered in Somerset-house, but it is pretended, he solemnly declared upon oath, his ignorance of the plot then in question. But as I said, facts supported by no authority deserve little credit. It is added, that the very next day, being examined by the house of lords, he thought fit upon new encouragement, to be more open, and launch out into the depths of the plot, with a new and supplemental evidence. It is easy to perceive the tendency of such insinuations destitute of authority.

However this be, Bedloe declared to the lords, that Walsley and le Phaire, two Jesuits concerned in the murder of Godfrey, informed him, "That the lord Bellasis had a commission to command forces in the north, the earl of Powis in South Wales, and the lord Arundel of War-dour had a commission from the pope to grant commissions to whom he pleased: that Coleman had been a great agitator in the design against the king." He was asked, if he knew Oates, and he positively denied it, but pretended afterwards, he knew him by the name of Ambrose.

The next day, the two houses obtained from the king a proclamation against Walsley, le Phaire, Conyers, Simmonds, Pritchard, and Castaway, but none of them could be found.

The 12th of November, Bedloe was examined a second time in the house of lords. The substance of what he said was, "That the monks of Doway first told him the design; and, after four sacraments of secrecy, they sent him to Harcourt, a jesuit in duke-street, London, who provided for him, and sent him to Paris, &c. That le Phaire, Walsley, Pritchard, and Lewis, told him what lords were to govern, what men were to be raised; particularly forty thousand to be ready in London: what

H h 3

" suo-

d Burnet says, he declared, he had only heard that forty thousand men were to come over from Spain, who

were to meet at St. Jago's as pilgrims. But knew nothing of any fleet to bring them over. p. 452.

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“succours were to be expected, namely, ten thousand from Flanders, twenty or thirty thousand religious men and pilgrims from St. Jago in Spain; that Hull was to be surprized; and that, just in the critical time that the plot was discovered; that le Phaire gave him a sacrament of secrecy; and they told him, who and who were to be killed, and the men that were to do the work. De Phaire said further, that Conyers was my lord Bellasis’s confessor, and communicated his orders; and that they were resolved, if any plotters were taken, to dispatch them before they could be brought to tryal, or to burn the prison. That le Phaire, Pritchard, Lewis, Keins, and Walsh, and others, had often told him, that there was not a Roman in Catholick in England of any quality or credit, but was acquainted with this design of the papists, and had received the sacrament from their father confessors, to be secret and assistant in the carrying of it on: that the part assigned him, was to bring and carry orders and counsels, and all other intelligences from one army to another upon all occasions, he knowing every part and road of England and Wales.”

After this deposition, the lords having conjured Bedloe to speak nothing but the truth, he did in the presence of God, as he should answer it, at the day of judgment, assure all to be true he had deposed.

A proclamation against the papists. Echard, III. p. 478.

Bedloe’s deposition, which was communicated to the commons, was very apt to fill the parliament and people with fears. Accordingly the effect of it was such, that the king, to avoid being suspected of having any hand in the plot, published a proclamation the 12th of November, “Whereby all Romish recusants, and such reputed, were enjoined under the penalty of the laws, to repair to their own houses, and not to remove more than five miles from thence without licence.” But the commons did not think this proclamation sufficient to free them from their fears. The same day they presented an address to the king, praying, “That a special commission may be issued forth, for tendering the oaths of allegiance and supremacy to all the servants of his majesty, and his royal highness, and to all other persons, (excepting her majesty’s Portugal servants) residing within the palaces of Whitehall, St. James’s, and Somerset-house, and all other his majesty’s houses; and that there may be likewise special commissions issued forth, for tendering the said oaths to all persons residing within the two serjeants-

The commons address the king. Kennet, p. 353.

“jans,

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“inns, all the inns of court, and inns of chancery.” The king returned an answer in writing, that he granted their request, with exception of the menial servants of the queen and duchefs, who were so very inconsiderable in their number, and within the articles of marriage. He added, “That he could not but take notice, that in a late address from the house of peers, the menial servants of the queen and duchefs were excepted, and that he hoped the commons would proceed with the same moderation as to that particular.” This answer was not satisfactory, and therefore they insisted in a second address, “That the persons excepted in his majesty’s message, might be comprehended in the same commission, for which they gave some reasons.” But before the king had answered this address, there happened an accident which put the commons much out of temper.

The 18th of November, they were informed, that several commissions had been granted to popish recusants, and warrants also, that they should be mustered, notwithstanding they had not taken the oaths, and subscribed the declaration according to the act of parliament, and that they were countersigned by sir Joseph Williamson, secretary of state. Upon this information, Williamson, as a member of their house, was immediately sent to the Tower. This much offended the king, who the next day sent for the commons to attend him in the Banqueting-house in Whitehall, where in a speech he told them plainly, “That though they had committed his servant, without acquainting him; yet he intended to deal more freely with them, and acquaint them with his intention to release his secretary;” which accordingly he did that very day. Upon this the commons presented an address to the king, with the reasons of their proceedings in the commitment of his secretary. They said, “1. That divers commissions were granted to popish officers, and countersigned by the said sir Joseph Williamson, and delivered out in October last, since the meeting of this house, and the discovery of the present popish conspiracy.

“2. Divers warrants have also been produced before us of dispensations, contrary to law, for popish officers to continue their commands, and to be passed in muster, notwithstanding they have not taken the oaths of allegiance and supremacy, and received the blessed sacrament of the lord’s supper, according to the late act of

1678. "parliament in that behalf; all which said warrants were likewise countersigned by the said Williamson; which being complained of to us, and confessed by the said sir Joseph Williamson, we your majesty's most dutiful subjects, having the immediate consideration before us, of the imminent danger of your majesty's person, the safety whereof is above all things most dear to us, and likewise the dangers from popish plots so nearly threatening the peace and safety of your majesty's government, and the protestant religion; we humbly are of opinion, we could not discharge our duty to your majesty, and the whole kingdom, without committing the said sir Joseph Williamson; and therefore most humbly desire, that he may be discharged by your majesty. And we do further most humbly desire your majesty, to recall all commissions granted to all papists within the kingdoms of England and Ireland, or any other of your majesty's dominions and territories."

To this the king answered, "That he had released Mr. secretary Williamson before their address came, and promised to recall all his commissions whatsoever given to papists, or reputed papists."

Had not the king had some secret design, it must be owned, he ill timed these commissions while the popish plot made so much noise, and the parliament was employed in examining into it. But this is a mystery which is not yet cleared. However the affair was carried no farther.

A proclamation against Romish priests or jesuits. Kennet. Echard.

About this time, the bill to disable papists to sit in parliament, passed the commons, and afterwards the lords, though with more difficulty. The king likewise published a pro-

Kenet says, the commons were so zealous for this bill, that they voted it to be a bill, "upon which the safety of the king and kingdom, and the protestant religion, did entirely depend." And when it was like to stick in the house of lords, the commons desired them, by a message, to proceed speedily on it; else, they would think themselves unable to prepare any effectual remedies, to prevent the evils that hung over them, p. 357. Echard, on the other hand, says, the bill passed the house of lords with some little

amendments, and a particular clause in favour of the duke of York. But the greatest struggle about it was chiefly in the house of commons when it was sent back, though it was passed there also with the said alterations. In the debate, sir Jonathan Trelawny and mr. Ash being violently heated, and opprobrious words passing between them, sir Jonathan gave Ash a box on the ear, which being returned by Ash with a slap on the face, they both began to draw. Whereupon sir Jonathan was sent to the Tower, and Ash publicly

a proclamation, offering a reward to any one who should discover or apprehend a Romish priest or jesuit.

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Mean while, the king finding the commons delayed to grant him money, came to the parliament, and after a repetition of some things delivered in his first speech, he desired them, either to grant him money to continue his forces in Flanders, or to disband them. Whereupon the commons, who saw with uneasiness, so formidable an army on foot in such a juncture, resolved, nemine contradicente, "That all the forces raised since the 29th of September 1677, should be disbanded: To which purpose they presented an address to his majesty.

The king demands money. Nov. 25. Kennet, p. 354. The commons resolve to disband the forces. Echard, III. p. 48r.

At the same time, the commons had before them a bill, "For raising a third part of the militia to be in constant arms for a time," which with amendments was sent up to the lords, and passed their house.

The 30th of November the king gave the royal assent to the bill, "For disabling papists from sitting in either house of parliament," and showed himself very willing to recall his forces from Flanders. But the militia bill he absolutely rejected, alledging, "That it was to put the militia out of his power, which thing he would not do, no not for one hour; but if the commons would assist him with money for that purpose, he would take care to raise such a part of the militia as should secure the peace of the government and his own person." But the parliament thought not fit to accept his offer.

The militia bill rejected,

Since the king had seen the unanimity of the two houses concerning the reality of the plot, he had thought proper to feign a no less fear of the danger the church and state were in. And this is what father Orleans can hardly forgive him, saying his dissimulation was made use of to the committing of much injustice. But the king found himself in no condition to oppose the torrent, which ran so violently against the papists. His whole policy was confined to his endeavours to remove the suspicion of his being concerned

reprimanded by the speaker, tom. III. p. 48c. This bill consisted of a test against popery, in which transubstantiation was not only renounced, but the worship of the virgin Mary and the saints, as practised in the church of Rome, was declared to be idolatrous. Gunning, bishop of Ely, maintained the church of Rome was not idolatrous. He was answered by Barlow, bishop of

Lincoln. However, Gunning took the test. The duke spoke on the clause for excepting himself, with tears in his eyes, protesting, that whatever his religion might be, it should only be a private thing between God and his own soul, and no effect of it should ever appear in the government. Burnet, p. 435.

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concerned in the plot, which he saw both houses were too apt to believe. So, without unseasonably affecting an indiscreet zeal for a religion which he publicly disowned, he calmly left the papists exposed to the resentment of the parliament, for fear of his own ruin by an opposite conduct. For this reason it was, that he suffered the conspirators to be brought to their trials<sup>f</sup>.

Coleman's  
trial.  
State trials,  
2. 21. p. 656.

Edward Coleman, secretary to the duke of York was first tried, the 27th of November, at the King's-Bench bar, before the lord chief justice Scroggs. The witnesses produced against him were Oates and Bedloe. The first deposed,

The substance of  
Oates's  
evidence  
against  
Coleman.

" 1. That in November 1677, being brought acquainted with the prisoner by father John Keins, then the deponent's confessor, who lodged at mr. Colemans's house, he carried some letters from him to St. Omer's, which he saw opened when he came there. In them were treasonable expressions against the king, calling him tyrant, &c. And a letter in Latin enclosed to father la Chaife, to whom Oates carried it from St. Omer's to Paris; in which there were thanks returned for the ten thousand pounds by him remitted to England, for the propagation of the catholick religion, and promising it should be employed for no other purpose, but that for which it was sent, namely, to cut off the king of England, as appeared by the letter of la Chaife, to which all this was an answer, and which Oates saw and read.

" 2. That Coleman was concerned in the design of killing the king; for when, at the jesuits great consult, on the 24th of April, which afterwards divided into several clubs, it was resolved that Pickering and Grove should take off his majesty by shooting, or other means; this resolve was communicated to Coleman, in Oates's hearing, at Wild-house, who did approve thereof, and said, it is well contrived.

" 3. That in August 1678, Coleman was present at a consult with the jesuits and Benedictine monks at the Savoy, for raising a rebellion in Ireland, for which forty thousand black bills as arms were provided; and was very forward to have Dr. Fogarthy sent over to poison the duke of Ormond: and at another time, being in Fenwick's chamber, in Drury-lane, Coleman said to him

" in

<sup>f</sup> On November 21. William Staley goldsmith, was tried for treasonable words against the king, and ex-

cuted November 26. State trials, tom. II. p. 653.

“ in Oates’s hearing, That he had found a way to transmit  
 “ two hundred thousand pounds to carry on the rebellion  
 “ in Ireland.

“ 4. That in the month of August, Coleman knew of  
 “ the four Irish ruffians sent to kill the king at Windsor;  
 “ and in Oates’s hearing, asked father Harcourt at Wild-  
 “ house, what care was taken for those gentlemen that  
 “ went last night to Windsor? Who replied, that eighty  
 “ pounds was ordered them, which he saw there on the  
 “ table, most of it in guineas; and that Coleman was so  
 “ zealous that he gave a guinea to the messenger who was  
 “ to carry the money, to expedite the business.

“ 5. That in July 1678, Coleman was privy to the  
 “ instructions brought by Ashley, rector of St. Omer’s, from  
 “ father Whitebread, to empower the consultants to pro-  
 “ pose ten thousand pounds to sir George Wakeman to poi-  
 “ son the king, provided Pickering and Grove failed to do  
 “ the work: that Coleman had read and copied those in-  
 “ structions, and transmitted them to several others of the  
 “ conspirators, who were gathering contributions about  
 “ the kingdom, who would be more encouraged to give  
 “ largely, both because they were assured the business would  
 “ soon be dispatched, and that they might see they had  
 “ assistance from beyond seas; and that Coleman was so  
 “ far from disappointing this treason, that he said, it was  
 “ too little, and thought it necessary to give five thousand  
 “ pounds more, to make the business surer.

“ 6. That in April 1678, Oates saw Coleman’s patent  
 “ or commission to be secretary of state, from Paulus de  
 “ Oliva, general of the society of jesuits, by virtue of a  
 “ brief from the pope, and he knew the hand perfectly  
 “ well; and in Fenwick’s chamber he saw Coleman open  
 “ it, and heard him say, It was a good exchange. Last of  
 “ all Oates being asked how many came over in April to  
 “ the grand consult, and how many priests and jesuits had  
 “ been in England at one time? he said, he could not ex-  
 “ actly remember their numbers, but to his knowledge,  
 “ there had been in England at the same time, a hundred  
 “ and sixty secular priests, eighty jesuits, and by name in  
 “ the catalogue above three hundred.

Bedloe deposed,

“ 1. That he knew not of any commission to mr. Cole- Bedloe’s  
 “ man; but that sir Henry Tichbourn had told him, that evidence  
 “ he brought a commission for him to be principal secre-

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" tary of state, when he brought over the rest of the commissions for the lords and others, from the principal je-  
 " suits at Rome, by order of the pope.

" 2. That in April 1675, he carried over a large packet  
 " of letters from Coleman to father la'Chaise, about car-  
 " rying on the plot, and brought back an answer: and  
 " on May the 24th or 25th, 1677, he received another  
 " packet of Coleman's, to carry to Paris to the English  
 " monks; and that he had received money to carry on the  
 " design to subvert the government of England, to free  
 " England from damnation and ignorance, and to free all  
 " catholicks from the hard tyranny and oppression of he-  
 " reticks.

" 3. That upon Bedloe's return with answers to the last  
 " letters, which were delivered to Coleman by Harcourt,  
 " he heard the prisoner, at his house behind Westminster  
 " Abbey, at the foot of the stair-case, say, if he had a  
 " hundred lives, and a sea of blood to carry on the cause,  
 " he would spend it all to establish the church of Rome in  
 " England; and if there was an hundred heretical kings  
 " to be deposed, he would see them all destroyed. Upon  
 " this saying, mr. Coleman asked him this question, Did I  
 " ever see you in my life? Yes, said the other, in the stone  
 " gallery in Somerset-house, when you came from a con-  
 " sult, where were great persons, which I am not to name  
 " here; that would make the bottom of your plot trem-  
 " ble: you saw me then."

The third evidence against Coleman was his own letters, found in his lodgings when he was arrested. But it must be observed that only those of the years 1674 and 1675, were found in a drawer under the table\*. The general opinion was, that he had received notice of his being accused by Oates in the council, and so had time to burn or convey away those of the two last years, with the book in which they were entered. However this be, the following extracts are taken from some of his letters writ with his own hand, and allowed to be authentick.

Extract from a letter of Mr. Coleman to father la Chaise  
 the 29th of June, 1674.

Produced  
 against him.  
 Treby's  
 collect. p. 1. " I Am commanded to tell you, that his royal highness,  
 " my master, is very sensible of the friendship of his  
 " most christian majesty, which he will endeavour to cul-  
 " tivate

“ tivate very carefully, and to give him all possible af-  
 “ surances of it, to take away all jealousies that his enemies  
 “ would raise to the contrary. That his royal highness has  
 “ done nothing in any manner whatsoever, nor in any place,  
 “ against the interest of his most christian majesty, but hath  
 “ rendered him all the good offices he hath been capable  
 “ of. That as for recalling the parliament, and touching  
 “ my lord Arlington, his highness is altogether of opinion  
 “ of his majesty, that neither one or other is useful, but  
 “ quite contrary, very dangerous as well for England as  
 “ France; and that his most christian majesty is in great  
 “ danger of losing the neutrality of England, at the next  
 “ session, (if the parliament meet) as he lost its alliance  
 “ by the peace of Holland at last; because the lower  
 “ house and their friends (as the furious protestants, and  
 “ the malecontents in the house of lords) have a de-  
 “ sign to lessen his royal highness, and root out the  
 “ catholick religion; and they think they cannot make  
 “ use of any other fitter means to attain their ends,  
 “ than to raise the Dutch, and to perplex his most chri-  
 “ stian majesty, as much as lies in their power. That  
 “ his highness doubts not, but it is absolutely necessary  
 “ for the interest of his most christian majesty, and his  
 “ royal highness, to use all endeavours to hinder the meet-  
 “ ing of the parliament, by persuading his Britannick ma-  
 “ jesty, that his greatness, his honour, and his quiet, are  
 “ no less concerned therein than theirs: so that if his  
 “ most christian majesty would write freely his thoughts  
 “ thereupon to his Britannick majesty, to forewarn him  
 “ of the danger he apprehends from thence, and would  
 “ withal think fit to make him the same generous of-  
 “ fers of his purse, to persuade him to dissolve the pre-  
 “ sent parliament, as he hath done to his highness, for  
 “ the election of another, perhaps he would succeed there-  
 “ in by the assistance we would give him here. As for  
 “ another parliament, it would be easy enough to get  
 “ such a one as we wish for; the constitutions of our  
 “ parliaments being of such a nature, that as there is  
 “ nothing to be hoped for by the king from an old one,  
 “ so there is nothing to be feared from a new one; be-  
 “ cause such a one, at their first meeting, must needs assist  
 “ his majesty, so far as to enable him to acknowledge his  
 “ obligations both to his most christian majesty and to all  
 “ the world.”

There

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There was in the year 1674, a prorogation of the parliament; which lasted fourteen months: it appears in this letter, that the interests of the king of France and the popish religion were the true cause of this long prorogation.

Extract from a letter of mr. Coleman to father la Chaissé,  
September 25, 1674.

Treby's  
collect.  
p. 3.

“ **F**OR the first point of your letter, his royal highness  
 “ has commanded me to tell you, that he will govern  
 “ himself according to your advice, and treat of nothing  
 “ concerning the catholick religion with monsieur Rou-  
 “ vigny, nor with any other person than yourself; but that  
 “ he will communicate to you all things he shall find neces-  
 “ sary for the good of the catholicks, and shall be very  
 “ well pleased to receive advices from you thereupon. For  
 “ the rest, his royal highness does a little wonder, that he  
 “ hears nothing from monsieur Rouvigny touching the se-  
 “ cond point of your letter, since you have written so po-  
 “ sitively that he had orders to confirm, and procure execu-  
 “ tion of what his most christian majesty proposed to him  
 “ the 2d of June last, by your mediation.—His most  
 “ christian majesty made a very generous offer to his royal  
 “ highness of the assistance of his purse, to enable him to  
 “ defend them both from the evils that threatened them;  
 “ and by good luck his royal highness has laboured with so  
 “ much diligence and success, that the dangers which they  
 “ apprehended are a little put off: but one thing more is  
 “ necessary for the perfect securing their affairs; and with-  
 “ out making one step more, all that he has already done  
 “ will signify nothing. For that the assistance of his most  
 “ christian majesty is no less necessary at present than heret-  
 “ ofore, to subdue entirely those, who being exasperated a-  
 “ gainst his most christian majesty, as much as against his  
 “ royal highness, and are angry with his royal highness,  
 “ only because he is so unalterably addicted to the interest  
 “ of his most christian majesty, will exercise their malice  
 “ and their rage with more brutality than ever, if they find  
 “ occasion for it hereafter. If you can therefore, by your  
 “ credit, obtain from his most christian majesty the ac-  
 “ complishment of the offer of his purse, for raising the  
 “ reputation of his royal highness in the opinion of his  
 “ Britannick majesty, and for putting him in condition  
 “ to resist the sharpest batteries of the adversaries of his most  
 “ christian

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“ christian majesty, and royal highness, to wit, the possi-  
 “ bility they pretend to get money from the parliament, and  
 “ the impossibility of having any elsewhere, by which they  
 “ often keep the mind of his Britannick majesty in suspense,  
 “ and wherein they place the hope they have to conquer him  
 “ at last : there will nothing more remain, to be feared by  
 “ his most christian majesty, or his royal highness, but his  
 “ royal highness will be able to dissolve the parliament with  
 “ ease, and afterwards, in recompence of the said assistance,  
 “ will perform on his part, all that his most christian ma-  
 “ jesty shall ask of him, and will proceed with sincerity,  
 “ upon the word of a prince, (that no man can reproach  
 “ him for violation of) for the interest of his most christian  
 “ majesty.”

Extract from a letter of mr. Coleman to the pope's nuntio  
 at Brussels, September 4, 1674.

“ ——— T H A T the duke's principal design is, to use Id. p. 3.  
 “ the pope's interposition, and by that means  
 “ to establish himself in the possession of his estate, through  
 “ the assistance of France and Spain, and to turn all their  
 “ cares for the ease of the pope's friends, and particularly  
 “ for the catholicks of the church, against their enemies ;  
 “ and assures him he will find, that the pope never had an  
 “ occasion so favourable as at this hour, to enrich those of  
 “ his family, and to augment the number of his friends ;  
 “ and if he lets it slip, he never will find the like : so that  
 “ if ever they propose to make use of the treasure of the  
 “ church, it is now they ought to do it ; for they can de-  
 “ mand nothing that the duke will not be capable to do for  
 “ the pope's friends :—on the other side, without their aid,  
 “ he will run great hazard of being lost, both himself and his  
 “ associates.”

Extract of a letter from mr. Coleman to the same nuntio,  
 written October 23, 1674.

“ Y O U agree with me, that money is the only means Id. p. 128.  
 “ of bringing the king into the dukes's interest, and  
 “ of disengaging him from the parliament ; and you must  
 “ also agree with me, that nothing can more promote the in-  
 “ terests of the catholick party, which is the principal ob-  
 “ ject of the duke's care and affection, and of the hatred  
 “ of the parliament, and which must hope, or fear, ac-  
 “ cording

1678. “ cording as the one or the other of them increase in power.—Nothing in the world is more certain, than that the king has a good inclination towards the duke, and the catholicks, and would join himself willingly and inseparably to their interests, if he did not apprehend some danger from such a union; which, however, he would not have cause to fear, if he found their interest, and consequently their power so far advanced above that of their adversaries, that they should neither have the power nor the boldness to contest any thing with them; which the king could see in a very little time, if we could persuade him to do two or three things: —And I am certain money could not fail of persuading him to it; for there is nothing it cannot make him do, though it were as much to his prejudice, as this we endeavour to persuade him to will be to his advantage.”——

In another letter, Coleman, positively said, “ That it was by the credit of the catholicks, that the parliament was prorogued till the 13th day of April 1675.

Extract from a letter of mr. Coleman, to father la Chaife.

“ —O U R prevailing in these things will give the greatest blow to the protestant religion here, that ever it received since its birth.”

In another.

2d. p. 17. “ W E have here a mighty work upon our hands, no less than the conversion of three kingdoms, and by that perhaps the subduing of a pestilent heresy, which has domineered over great part of this northern world a long time; there were never such hopes of success since the death of queen Mary, as now in our days.”

In the same letter.

“ —T H E opposition we are sure to meet with is also like to be great; so that it imports us to get all the aid. and assistance we can, for the harvest is great, and the labourers but few.”——

After

After the reading of these letters, Coleman alledged in 1678.  
his defence.

" 1. That Oates, who now pretended such acquaintance with him, declared before the king and council, That he never saw him before, or did not know him. State trials.

To which the other answered, " That it being candle-light, and his sight weak, and Coleman altered in habit and wig, he did at first say, he could not swear that was the man, or that he had ever seen him before; but as soon as he heard him speak, he knew him well, and could have then sworn it, had it been demanded.

" 2. That had the things now alledged by Oates been true, he would have charged the same before the council: but then he only charged him with the sending of one letter, and such slender matters, that the council was ready to let him go at large: and therefore all the rest must be invented since."

To this Oates replied, " That he was then so weak and weary, he could not tell well what he said; besides, his design was then to lay no more to his charge, than might serve for information, &c.

" 3. Whereas Oates charged him with consenting to Wakeman's poisoning of the king, and that it was consulted by him in August, and, as he remembered, about the 21st day, Coleman alledged, that he was then in Warwickshire, and one of his men and he were there all August, as he thought, but was not sure of it; and after conviction, he offered a book that would shew he was out of town from the 18th, to the 31st of August: But this was no evidence in itself, and offered too late, so it did not contradict Oates, who was not positive to a day, but only to the month. As to what was sworn by Bedloe, he made no other answer than a solemn asseveration, that he never saw the man in his life. But as to his papers, which he did not deny, he alledged, " There was no treason in them, though very extravagant expressions; and that it would plainly appear from them, that his design was so far from killing the king, that it was only to make the king and duke as great as could be."

1. It is proper to remark upon this last answer, that according to Oates's deposition, the resolution to kill the king was taken but the 24th of April 1678, and these letters were

1678. of the years 1674, and 1675; consequently they could not mention the design of killing the king, neither were they produced in proof of that article.

2. Oates had accused Coleman of being concerned in the plot, before his letters were found. How then, if he did not know Coleman, could he guess so right, as to lay things to his charge, which were found in letters under his own hand?

3. Coleman owned, that his intention was to make the king and duke of York as great as was possible. This was a necessary consequence of the projected change of religion. For it was not possible to subvert religion, without a subversion of the government, nor to render the king absolute, without a design of altering religion, since the king and duke were both catholicks. One of these articles proved, necessarily proves the other.

Coleman  
condemned,

In the conclusion of his defence, he used these words; "Positively I say, and upon my salvation: I never saw these witnesses, Oates but once, and Bedloe never before."

and executed  
without any  
confession of  
his crime.

The jury, who were all gentlemen of the county of Middlesex, against whom Coleman had made no exceptions, withdrawing, in a little time brought him in guilty of high treason. The day after he received sentence of death, and the 3d of December was hanged and quartered according to custom. He persisted to the last moment in the denial of the crimes for which he was condemned. But as his letters seemed at least to prove a design of extirpating the protestant religion, he declared his sole intention was to procure liberty of conscience for the papists. Probably it will not be universally agreed, that this is the natural sense of the expressions in his letters. It is true, a report was spread in London, that he was promised a pardon, in case he made no confession; but such rumours are not much to be credited <sup>a</sup>.

The

h He declared before the committee, that he had acted by order in all he had done. And he believed the king knew of his employment, particularly that at Brussels. But though he seemed willing to be questioned about the king, the committee did not think fit to do it, nor to report what he said concerning it: only in general, they reported that, he spoke of another matter, about which they did not think fit to interrogate him, nor to mention it. Littleton, one of the

committee, gave dr. Burnet an account of all that passed that very night. And he found his behaviour made great impressions on them all: it was given out, to make the duke more odious, that Coleman was kept up from making confession, by the hopes the duke sent of a pardon at Tyburn. But he could not be so ignorant, as not to know, that at that time it was not in the king's power to pardon him, while the tide ran so high. Burnet, p. 437.

The same day that Coleman was tried, the king at the request of the lords, published a proclamation, promising, 1678.  
 "That if any person or persons shall before the 25th day of December next, make any farther discovery of the late horrid design against his majesty's person and government, he or they—shall not only receive from his majesty for every such discovery, the reward of two hundred pounds; but if he or they were a principal or principals in the said design, they shall have his majesty's gracious pardon."

Whether through a desire of having this reward, or that they believed to have a good foundation, Oates and Bedloe had the boldness before the king and council to accuse the queen herself, of consenting to the death of the king, and of being in the design to poison him by means of Wake-man. But, besides that their depositions contained only certain signs which were far from proofs, the king stopped this affair by his authority. But he could not prevent an address from the commons, to desire the immediate removal of the queen and her family from the court at Whitehall. The king was so offended at Oates's insolence, that he ordered a stricter guard upon him than ever. But the day after, the commons addressed him, "That Oates be freed from his restraint, attended by his own servants, and that a competent allowance be appointed for his maintenance." At the same time, they resolved, that an address be presented to his majesty, that all papists and suspected papists within the several counties of England may be secured.

The 6th of December, they impeached the five lords in the Tower, at the bar of the house of peers. But they had not time to exhibit the articles against them, and the affair was resumed by another house of commons.

The 17th of December were arraigned at the Old Bailey five of those arrested for the plot, namely, William Ireland, and Thomas Pickering, both priests; John Grove a lay brother, Thomas Whitebread provincial of the jesuits, and John Fenwick a jesuit also. But in the course of the evidence, there not appearing sufficient proof against the two last, they were reserved for another time. So, the three first only were tried that day. The sum of Oates's evidence against them was:

"1. That at the grand consults of April the 24th, at the White Horse in the Strand, whereof Ireland was one; it was resolved, that Pickering and Grove, as having

A proclamation to encourage further discoveries.  
 Echarde, III. p. 487.

Oates and Bedloe accuse the queen.  
 Burnet, p. 435.  
 Echarde, III. p. 487.

State trials, t. II. p. 692.  
 Burnet, p. 443.

The trials of Ireland, Pickering, and Grove.  
 Ibid.

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“ ing been formerly engaged, should go on in their design  
 “ and attempt to assassinate the king ; and that Grove being  
 “ a layman, should have fifteen hundred pounds for his  
 “ reward ; and Pickering being a priest, thirty thousand  
 “ masses, which at twelve pence a mass, amounted to that  
 “ sum.

“ 2. That this resolve was the same day drawn up in  
 “ writing by one Mico, that was secretary to the society,  
 “ and companion to provincial Whitebread, at the said  
 “ Whitebread's chamber, who having signed it, it was  
 “ carried by the deponent Oates, as being a messenger to  
 “ the consult, to be signed by the rest of the colloquies ;  
 “ and that Ireland in his own chamber did sign it in his  
 “ presence.

“ 3. That Pickering and Grove consented to such re-  
 “ solve, accepted the terms, and also signed it the same  
 “ day in Whitebread's chamber, at Mrs. Sander's at  
 “ Wild-house, where, in a little chapel, they ; and about  
 “ forty or fifty of the consultants heard mass, and received  
 “ the sacrament, administered by one Barton, a jesuit, and  
 “ thereupon took an oath of secrecy upon a mass book,  
 “ which Mico held, while Whitebread pronounced the  
 “ words.

“ 4. That in pursuance of this resolve, the deponent  
 “ did several times see Pickering and Grove walk in the  
 “ park together, with skewed pistols, longer than ordinary  
 “ pistols, and shorter than some carbines : that they had  
 “ silver bullets champed, to render the wound incurable, and  
 “ that he saw Grove's bullets in May, and Pickering's in  
 “ August : Moreover,

“ 5. That before the consult, in the month of March,  
 “ Pickering had a fair opportunity to shoot the king ; but  
 “ the flint of his pistol happened to be loose, and he durst  
 “ not venture to give fire ; and because by their negligence  
 “ this opportunity was missed, Pickering underwent pen-  
 “ nance, and had twenty or thirty strokes of discipline, and  
 “ Grove was chidden for his carelessness, as the deponent  
 “ had seen in Whitebread's letters.

“ 6. That Grove did go about with one Smith, to ga-  
 “ ther Peter pence, either to carry on the design, or to  
 “ send to Rome ; that he saw the book wherein it was en-  
 “ tered, and heard the said Grove say, he had been gather-  
 “ ing it.”

Bedloe's de-  
 position.

Bedloe the second witness swore,

“ 1. That he was employed for the space of five years

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as a messenger, by the conspirators, for carrying their letters to the confederates beyond seas, and bringing others back, all, or most of them relating to the plot; for he had a way to open and read them; by which he fully informed himself of those matters: and of the nature of the plot; he heard some of the conspirators say, That they would not leave any member of any heretick in England, that should survive to tell hereafter, that there ever was any such religion in England, as the protestant. And to confirm his intimacy with them, he swore the manner of his first coming to be employed by them; by means of a lady abbess of the English nunnery of Dunkirk, who having kept him six weeks in her convent, recommended him to sir John Warner, as a proper instrument, who afterwards sent him to father Harcourt to be instructed." And as a further confirmation, he brought his brother James Bedloe, who swore he knew nothing of the plot, but did testify, "That he had heard the prisoners often named as being of his brother's acquaintance; and that he had, on his brother's behalf, received several sums of money from priests and jesuits, as fifty or sixty pounds at a time.

2. That about the latter end of August, this year, at mr. Harcourt's chamber, he met the prisoners, Ireland, Pickering and Grove, with some others, where he heard them discourse, that since the four Irish ruffians had missef killing the king at Windor, Pickering and Grove should go on with their design, and that one Conyers, a Benedictine monk, was to be joined with them; and that they should endeavour to assassinate his majesty in his morning walks at Newmarket; that they were very eager upon it; and mr. Grove, more forward than the rest, said, since it could not be done clandestinely, it should be attempted openly; and that those who should fall in the attempt, had the glory to die in a good cause; but if they were discovered, the discovery could never come to that height, but their party would be strong enough to bring it to pass.

3. He swore that Harcourt told him, Grove was to have fifteen hundred pounds, and Pickering as many masses, at twelve pence a mass, as came to the like sum,

4. That at the same time, when the discourse about killing the king was at Harcourt's chamber, there was likewise a design concerted amongst them of killing several  
 I i 3 " noble

1678. " noble persons, and the particular parts assigned to every  
 " one; as Knight, to kill the earl of Shaftsbury; Prichard,  
 " the duke of Buckingham; Oneil, the earl of Ossory:  
 " Obrian, the duke of Ormond, &c.

The defence made by the prisoners consisted in :

- The prisoners defence. " 1. A peremptory denial of the whole. Grove par-  
 State trials, " ticularly said, as I have a soul to save, I know nothing  
 II. p. 715. " of this matter charged upon me. Pickering affirmed,  
 p. 701. " that he never shot off a pistol in his life. And White-  
 " bread, who was there during the trial, declared before  
 " Almighty God, that Oates had not spoken three words  
 " of truth.
- p. 706. " 2. A particular denial of their knowledge of, or ac-  
 " quaintance with, the witnesses. Ireland denied that he  
 " ever saw Bedloe, before that time in the court; and  
 " challenged him to produce one witness that he had ever  
 p. 713. " spoken to him. Pickering affirmed, that he never saw  
 " Oates before; and offered to swear that he never was  
 " in Bedloe's company. And Grove affirmed, that he had  
 p. 702, 703. " scarce any acquaintance with Oates. Whereupon Oates  
 " gave him a remarkable token, viz. that in December  
 " last, when he was with him, he owned, that he and  
 " three Irishmen had fired Southwark; and that they had a  
 " thousand pounds given them for it; whereof he had four  
 " hundred pounds, and the others two hundred pounds a  
 " piece.
- p. 712, &c. " 3. Ireland, against Bedloe's evidence, affirmed, he  
 " was not in London the whole month of August, and part  
 " of September; and offered to prove it by twenty wit-  
 " nesses, that he was in Staffordshire and Cheshire all that  
 " time: and urged Bedloe to name the place, and the com-  
 " pany wherever they met together. But not only Bedloe  
 " swore the contrary, but likewise Oates himself; but  
 " what seemed more important, one Sarah Pain, formerly  
 " a servant to Grove, swore that she saw mr. Ireland at a  
 " scrivener's door in Fetter Lane, about the 12th or 13th  
 " of August.
- p. 703. " 4. Ireland, as well as Whitebread, objected against  
 " the grand consult of April the 24th, that hundreds could  
 " prove that Oates was at St. Omer's all the months of  
 " April and May; and offered to produce a certificate  
 " from thence, under the seal of the college." But such  
 " certificate was not allowed as evidence by the law of England.  
 " Lastly, they endeavoured to blast the reputation of doctor  
 Oates,

Oates, and prove him perjured, since he had said before the council, that he knew no more than what he had already deposed, and yet had since added other testimonies. As I have spoken of this objection, I shall not repeat here what has been said. 1678.

In conclusion, all three were found guilty, and sentenced to be drawn, hanged and quartered. But the execution of Ireland and Grove, was deferred till the 24th of January following, and that of Pickering to the 9th of May. They persisted all three to their last breath, to protest they were as innocent of the crimes for which they were condemned, as the child unborn. As all the papists that suffered for this conspiracy made use of the same manner of expression, to declare their innocence, it was believed, there was some equivocation in these words, though it could not be said wherein it consisted. <sup>They are condemned,</sup>

If it is considered, that the evidence of Oates and Bedloe upon oath was positive, and that the prisoners alledged in their defence only bare negations, the jury will be easily justified in their verdict. For why should they credit the asseverations and oaths of the accused, more than the depositions of the two witnesses? And yet, it was afterwards, and still is, pretended by many, that the condemned persons were innocent. 1. Because they asserted their innocence with their dying breath. 2. Because it is taken for granted that Oates and Bedloe were great villains. 3. But the strongest proof, according to those who are of this opinion, is, that it was upon the trial of these three men that Oates in the reign of king James II. was convicted of perjury upon the depositions of twenty two witnesses from St. Omer's, who swore that Oates was at St. Omer's, in the jesuits college, the whole months of April and May, without ever stirring from thence. Moreover, above forty witnesses from the counties of Stafford and Chester, deposed upon oath, that father Ireland was in those counties all August, and part of September. <sup>A reflection upon this trial.</sup> <sup>State trials, t: III.</sup>

To assist the reader to judge of this affair, I think it necessary to make some remarks, and the rather, as the dispute upon this subject is not yet ended.

1. The defence by the Alibi<sup>1</sup> is liable to great inconveniences, since, there being two contradictory evidences,

I i 4

it

<sup>1</sup> The proof of the alibi, is that whereby the prisoner endeavours to prove his being in a different place

from that where the crime for which he stands indicted, was, or is supposed to be committed.

1678. it leaves the judges doubtful what to resolve. Generally if they come to a determination, it is not because there is reason to believe one of the evidences more than the other, but because equity requires that they incline rather to clemency than rigour. In the present trial, there were no depositions in favour of the Alibi, but only a bare allegation of the prisoners, and an offer of proof by absent witnesses. So, even supposing the innocence of the three accused persons, the jury could not but find them guilty, unless they preferred the bare asseveration of the prisoners, to the oaths of the witnesses, which is never practised. But in the trial of Oates, the proof of the Alibi was made use of to convict him of perjury, and sentence him for it to a very rigorous punishment. It belongs to the lawyers to decide, whether this be exactly regular.

2. If the circumstances of the times of these two trials are considered, it will be found, there is as much reason to believe, in respect of one as of the other, that prejudice and passion bore a great sway. When the three jesuits were condemned, the whole kingdom was alarmed with the noise of a plot, formed by that society against the king, the government, and the protestant religion. The two houses of parliament had supported the reality of this plot, by the unanimity of their votes, and the king himself supposed it in all his proclamations. It should not therefore be strange, that the judges and jury were prejudiced, and thereby inclined blindly to believe what Oates and Bedloe deposed. But on the other hand, when Oates was convicted of perjury, the face of things was entirely changed. A very zealous catholick king was on the throne, and it was now dangerous to affirm, there was a popish plot in 1678. The papists had now the same superiority over the protestants, as the protestants had in 1678 over the catholicks, and the judges were entirely devoted to the king. It suffices to say in a word, that Jefferies was his judge, who forgot nothing which he thought capable to prejudice the jury against the prisoner. In short, Oates was condemned upon the evidence of twenty two witnesses from St. Omer's, all scholars or dependents of the jesuits, and upon that of forty other witnesses from the counties of Chester and Stafford, amongst whom it is only said there were several protestants. Moreover, the question was not only, whether Ireland was in those counties during the months of August and September, but whether

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ther he had never stirred from thence in that time<sup>k</sup>. Now it is hard to conceive that such a negative proposition can be proved by forty witnesses.

Having thus represented what is urged on both sides, I leave the reader to his own judgment. The affair of the conspiracy must now be interrupted for some time, in order to proceed to another which made a great noise at this time. But it is necessary to look back a little on the situation of the English court.

The earl of Danby lord treasurer, was considered as the king's prime minister. He had a great genius, and a solid judgment, and as he disapproved of the principles of the cabal, endeavoured to disengage the king from the methods, he had been led into by their counsels. This drew upon him the enmity of the duke of York, and all the French faction, with whom joined the lord Russel, and other malecontents in the house of commons; and among the peers, the earls of Essex and Shaftsbury, whilst the duke of Monmouth, and the duchess of Portsmouth did their utmost to lessen his credit with the king. In a word, a strong party was formed against him, who were bent to ruin him at any rate. These enemies were also joined by another, who had been his most intimate friend. This was mr. Montague ambassador in France, who aspiring to the office of secretary of state, took it very ill, that the treasurer had engaged to bring in sir William Temple. Mr. Montague was the treasurer's most dangerous enemy, because he had private letters in his hands from that minister, and though he could not divulge them without great injury to the king, this gave him no uneasiness, because resolving to throw himself into the party against the court, which was most prevalent in the parliament, he knew he should be protected, even against the king himself. To this end, he got himself elected member for Northampton, and suddenly leaving Paris, without the king's consent or knowledge, came to London, and took his seat in the house. The king offended at so strange a proceeding, and being also informed by the Swedish ambassador of the design of the treasurer's enemies, and their intention to make use of his letters, sent the 19th of December the following message to the house of commons,—"That  
 "upon information that mr. Montague, a member of that  
 "house, and late ambassador in France, had held several  
 "con-

The earl of Danby's affair. Temple. Burnet, p. 439, &c. Kennet, p. 355. Echard. Danby's letters.

Kennet, p. 355. Burnet, p. 440. con- R. Coke.

<sup>k</sup> A woman swore she saw Ireland in London, about the middle of August, Burnet, p. 443.

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“ conferences with the pope’s nuntio there, without any directions or instructions from his majesty ; his majesty to the end that he might know the truth of that matter, had given orders for the seizing of mr. Montague’s papers !”

Kennet,  
P. 355.

Danby’s  
lett.

Dec. 21.  
Kennet,  
P. 355.  
Burnet.

The leaders of the opposite party to the king, made great objections to this message, pretending, it ought to be first known, whether the information had been given upon oath and what was the nature of mr. Montague’s crime, before they could consent to the seizure of his papers. Upon this mr. Montague acquainted the house, “ That he had in his custody some papers, which, as he conceived, might tend very much to the safety of the king’s person, and the preservation of the government.” A committee was immediately appointed to bring the writings to the house, which being accordingly done, and mr. Montague ordered to select such of them as he thought for the service of the house, and dispose of the rest as he pleased, he produced two letters out of many others, both subscribed, Danby, and sent to him at Paris, on the negotiation of the money which his majesty expected from the king of France, at the bottom of one of which were these words, This letter is writ by my order, C. R.<sup>m</sup>. These letters discovering to the house, from whence had proceeded the king’s delays with regard to the war against France, they immediately resolved, “ That there was sufficient matter of impeachment against Thomas earl of Danby, lord treasurer of England.” and within two days, by the help of mr. Montague, the articles of impeachment were drawn up, and sent to the house of lords. But this impeachment was rather against the king himself,

1 Burnet says, the earl of Danby having broke with Montague, was apprehensive Montague might accuse him, so resolved to prevent him. Jenkins, then at Nimeguen, writ over, according to a direction sent him, as was believed, that he understood Montague had been in a secret correspondence with the pope’s nuntio at Paris (Montague, it seems, had made use of him, and given him money, which he loved, for such secrets as he could draw from him.) Upon Jenkins’s letter, the king sent the above message to the commons. This was a device of the lord Danby’s to find his own letters and destroy them, and then to let the prosecution drop. But Montague had put a box, in which the letters were, in sure hands out of

the way. Whilst the debate about the message was in hand, the box was brought to him, which he opened, and took out two of the lord Danby’s letters, that contained instructions to him to treat with the king of France for three hundred thousand pounds a year, for three years, if a peace succeeded ; since it would not be convenient for the king to meet a parliament in all that time, and he was charged to mention no part of this to the secretary of state. These last words made very much for secretary Coventry, since now it appeared, that he was not trusted with these ill practices, p. 440, 442.

m The first was dated January 17, 1677-8, and the second March 25, 1678.

himself, than the earl of Danby, who had only acted by his express orders. For, though in the impeachment were inserted several articles which only concerned the earl, it was not in those that the strength of the impeachment consisted, but in those relating to the negotiation with France, concerning the king's pension, on pretence that the lord treasurer had acted without order, though the contrary was not doubted<sup>n</sup>. But the intention was to oblige the earl for his own safety to plead the king's orders for what he had done. This perplexed him extremely, for he could not justify himself without accusing the king, and he could not accuse the king, without entirely forfeiting his favour. Especially as the king had earnestly desired him not to divulge his secrets, offering him letters of pardon to screen him from the parliament. He therefore resolved to conceal the king's private orders upon this affair, but however could not help sending two of Montague's letters to the commons, which discovered him to be the principal author of this negotiation. These letters also showed, that the court of France considered the lord treasurer as their great enemy, whose ruin was to be effected, in order to have the king of England at their disposal. But the commons were so enraged against the earl, that they would not suffer these letters to be read. On the other hand, when the articles of his im-  
Dec. 23.  
peachment were read in the house of lords, he in a speech frequently insinuated, that he could make such a defence, as would admit of no reply<sup>o</sup>. Every one knew what he meant, but it is certain, he was not so much aimed at as the king himself, and that it was intended by this means, more than by the plot itself, to show the publick, that the king and the duke of York were the real authors of all the evils of the kingdom, and in a word, the heads of the conspiracy to subvert the government and protestant religion. The king easily perceived the design of the earl of Danby's impeachment, and therefore, before the lords could resolve,

The king  
prorogues  
the parlia-  
ment.

whether  
Kennet,

P. 356.

<sup>n</sup> The substance of the articles against him, was, 1. That he had treated with foreign princes and ambassadors, without the privy of the secretaries of state. 2. Endeavoured to subvert the antient form of government; and designed to raise and keep up a standing army. 3. Attempted to hinder the meeting of parliaments. 4. Concealed and suppressed the evidence for the popish plot. 5. Had wasted the king's treasure, and issued out

great sums of money for unnecessary pensions, and secret services to the value of two hundred and thirty one thousand, six hundred and two pounds, in two years. 6. Procured for himself considerable gifts and grants. Kennet, p. 355.

<sup>o</sup> He affirmed, that he had never done any thing of great moment, for which he had not always had his majesty's command.

1678. whether the earl of Danby should be sent to the Tower, came to the parliament the 30th of December, and prorogued it to the 4th of February, after passing a single act against the papists.

The earl of Sunderland made secretary of state. Feb. 9. Temple's mem. Kennet, p. 356.

The earl of Danby resigns. Id. p. 357.

1678-9.

Prance taken up for the murder of sir Edmund Godfrey. Buraet, p. 445.

Immediately after the prorogation of the parliament, sir Joseph Williamson secretary of state, resigned the seals into the hands of the king, who appointed Robert Spencer earl of Sunderland in his room, though he had given hopes of the place to sir William Temple, then ambassador in Holland, and had called him over for that purpose. But Temple at his arrival found the post filled, the earl of Sunderland having paid Williamson six thousand pounds, and five hundred guineas, which Temple was not able or willing to give. Shortly after, the king dismissed the earl of Danby, and put the treasury into commission <sup>p</sup>.

After the prorogation, the king was extremely embarrassed, not only by reason of the earl of Danby's impeachment, which properly fell upon him, but also by fresh discoveries, both of the plot and Godfrey's murder. The 21st of December, Miles Prance, a goldsmith of London, a papist, who had sometimes worked for the queen in her chapel of Somerset-house, was taken up by a warrant from the council, upon the information of one Wren, a lodger in his house, that he was concerned in the murder of Godfrey. Though it was very possible for Godfrey to have been murdered by persons not in the plot, yet it was generally believed, the murder was committed by papists, and that if the authors could be discovered, it would be a great means to unravel the plot. Wherefore the two houses had appointed a committee, of which the earl of Shaftsbury was chairman, to enquire after the authors of the murder.

In this affair as in that of the plot there are, among the historians, two parties directly opposite, one asserting, the murder was committed by papists, and the other maintaining the contrary. These, in support of their opinion, relate numberless facts, with so many circumstances, that they would be more than capable of proving what they advance, could their faithfulness and also the certainty of the facts be entirely relied on. But it is very surprising, to see continually the truth of their opinion supposed, without any other proof

<sup>p</sup> The commissioners were, Arthur Capel earl of Essex, Lawrence Hyde the earl of Clarendon's brother, sir John Ernle, sir Edward Deering, and Sidney Godolphin. Kennet, p. 357.

— This year died Henry Olden; burgh, secretary to the royal society, first publisher of the philosophical transactions; and Andrew Marvel,

proof than a great many unwarranted facts. This may pass when we write only for one of the parties, ever ready to believe what is advanced by an historian of their own side; but as I write for foreigners, to whom the actors and the authors are equally unknown, I am not to suppose true, facts of which I see no proof. I do not hereby pretend to insinuate to my readers, that all these facts are false, but only that I have not sufficient reasons to believe them true, and consequently ought not to form any supposition upon them.

As for Prance the goldsmith, it is readily supposed, he was maliciously accused by Wren, because Prance had forced him to pay fourteen months rent, due to him for lodging, and that having at first with execrations denied the murder, he was at last compelled by threats and ill treatment to confess that he knew the whole matter, and to give a particular account of all the circumstances. If this supposition was well proved, or at least supported by the testimony of any cotemporary person of reputation known in London, there would be no occasion to seek for other proofs. But, as I have said, these facts are declared as undeniable, without any warrant. For my part, who seek not to impose upon my readers, I shall only inform them of the facts universally acknowledged, adding also such as are doubtful and advanced without proof, that the reader may know what he is to adhere to.

Prance being arrested, as I said, was carried to West-Minster to be examined before a committee of the lords.

Here a decisive fact is begun to be advanced without any authors, namely, that Prance was first carried into a little room, where several persons went to see him, and among others Bedloe, who knowing him not, privately enquired which was the prisoner? When he was informed, he withdrew to an eating house, in the neighbourhood, where Prance was brought some time after, till he should be called to his examination. As soon as Bedloe, who was purposely planted in the same room, had cast his eyes upon him, he cried out, "This is one of the rogues that I saw with a dark lanthorn about the body of sir Edmundbury Godfrey; but he was then in a perriwig."

If any care had been taken to prove that Bedloe had asked which was Prance, and that he purposely waited for him in the eating house, where he knew he was to be brought, there would be no need of other proof; and the case would be

1678-9. be decided. But this fact entirely rests upon the authority of the historian who relates it<sup>q</sup>.

He denies.  
all.  
Dec. 22.

Is sent to  
Newgate.

L'Estrange.  
Echard,  
III. p. 505.

Prance being carried to the committee of lords, Bedloe directly charged him with the murder of Godfrey, and Wren with being out of the house while the body was missing. Prance denied all with imprecations upon himself. But as the bare denial of a prisoner ought not to carry it against the testimony of two witnesses, the lords thought fit to send him to Newgate, where he was put in the condemned hole, loaded with heavy irons, and, says my author, left all night to consider what further answers to make, and whether he would venture his soul or his body.

Herein manifestly appears the prejudice of the historian, who cannot have known, that the intention of the lords was to leave Prance to consider, whether he would venture his soul or his body. He could say this but by virtue of his system, which supposes, that the committee was resolved at any rate, to make Prance an evidence to the murder of Godfrey.

But here is another fact still more important, advanced with the same assurance without any authority.

Ibid.

The next morning early, a man entered the condemned hole, where Prance was; and laying down a paper upon a form just by him, retired; soon after came in another with a candle, who set it down and left him. By that light he read the paper, wherein he found brief hints to what he was to swear when he should be called to his second examination, with a menace of being hanged if he did not confess what was expected of him. Prance, says the author, presently imagined this to be a contrivance of the lord Shaftsbury.

Ibid.

A fact of this nature (which passed in a dungeon where there is but one man, and where two others, at several times, only go in and out, without saying a word, one to bring a paper, the other a candle) can only be known by Prance's own confession. Now it is certain, Prance never owned any such thing; if he had, it would assuredly have been said, how and upon what occasion. But if this be so, how can it be said that Prance imagined this to be a contrivance of the earl of Shaftsbury? Is it a thing so common,

to

<sup>q</sup> Our author means Echard. Burnet says, Prance being taken up on Wren's information, was carried to Westminster. Bedloe accidentally passed by, not knowing any thing con-

cerning him: and at first sight, he charged somebody to seize on him: for he was one of those, whom he saw about Godfrey's body, p. 445.

to know what passes in a man's private thoughts, that it is 1678-9.  
not worth the while to say how this knowledge was at-  
tained?

I proceed to other facts which are not contested. Prance after he had continued in prison all night, and part of the next day, told captain Richardson, master of Newgate, that he had matters of great moment to communicate to the earl of Shaftsbury chairman of the committee. He was, according to his request, carried the same night to the earl, who, in presence of three other persons, examined him five or six hours. It is pretended that the earl abused and menaced him, telling him, "That there were great ones concerned, and he must discover them to; for the little ones should not serve his turn," bidding him, "not spare the king himself." It does not however appear that these menaces made much impression upon Prance, since his depositions reached only persons of low condition. However, he discovered part of what he said he knew, with a promise of a more ample confession if he might have his pardon. He signed his deposition; and was returned to prison. Upon this the lords obtained for him from his majesty a full and general pardon. Then a committee of the lords was sent to Newgate to acquaint him with it, and to examine him. The commons likewise ordered him to be examined by a committee of secrecy. These two examinations being made with great strictness, Prance was carried the next day to Whitehall, to be examined before the king and council.

In this examination he accused five persons, as actually present at the murder; namely Girald and Kelley, two Irish priests; Robert Green, cushion man to the queen's chapel; Laurence Hill, servant to dr. Godden treasurer of the chapel; and Henry Berry, porter of Somerset-house. Being asked, "Why he gave so different a relation to the committee of lords from what he now so freely confessed?" He answered, "That he was not then sure of his pardon." Being further asked, "Why he came not in upon the proclamation and reward thereof?" He said, "He was afraid to trust it." As he had been very particular concerning the circumstances of the time, place, and manner of the murder, the king to be assured of the truth, appointed the duke of Monmouth, the earl of Ossory, and the vice-chamberlain, to go with Prance to Somerset-house, and make him show them the places where the things were acted. The author so often mentioned, adds what deserves to be remembered. Prance, says he, was very punctual in naming

Id. p. 506.

Prance confessed,  
Dec. 22.  
Ibid.L'Étrange.  
Echard,  
III, p. 506.

1678-9. naming and showing some of the rooms, but so uncertain and dubious in some particulars, especially about the chief room, that when the duke of Monmouth privately asked the earl of Ossory, "what he thought on it?" The earl answered, "It was all a cheat." I purposely take notice of this particular, because it is directly contrary to the report made to the council, as will presently appear.

In the afternoon, Prance, in the presence of the council, was confronted with Green, Berry, and Hill, who denied every syllable of the charge, and Prance stood as stoutly to every point of the accusation. After which he was sent back to Newgate for four or five days.

Echard,  
III. p. 507.

The same author says here, that his irons were some times off and sometimes on, according as he was in a dis-covering temper. That is to say, the jailor by the secret orders of the committee, treated him well or ill, as he was disposed to retract or adhere to his deposition. Another particular is likewise added, that he was often visited by members of both houses, who sometimes severely threatened him when his evidence did not agree with Bedloe's, and particularly because he would not own the per-riwig which Bedloe had first mentioned. But these particulars tending to show that Prance was forced to depose what he knew not, are supported by no author, no evidence, no authority. There are no other vouchers but the historians who report these particulars, without vouchsafing to inform their readers from whence they received them.

He retracts  
before the  
king.

Dec. 29.

Burnet,

p. 446.

Echard,

III. p. 507.

Prance re-  
tracts all be-  
fore the  
king.

Echard,

III. p. 507.

After Prance had remained four or five days in Newgate, he was once more carried to be examined before the king in council. But he made it his request that he might first wait upon the king himself. Upon this Richardson had orders to carry him to Mr. Chiffinch's lodgings, where the king came. The king taking Prance into a room by himself, after some time, opened the door, and bad Chiffinch and Richardson take notice of what Prance said; who being called to speak out plainly, he declared, "That the men he had sworn against were all innocent, and that all he had sworn against them was false," which he affirmed.

In an account of the plot printed in 1680, it is said, That Prance gave such an exact account of the very spot upon which the murder was committed; where he himself, where Berry

stood; as also the door, stairs, dark entry, &c. mentioned in his narrative, that his majesty's commissioners returned very well satisfied with the truth of his relation and confession, p. 68.

ed (says one) with great passion and asseveration. Upon 1678-9. which the king asked him, "Upon your salvation is it so?" He replied, "Upon my salvation the whole accusation is false." He was then carried before the council, where he declared to the same effect; and was asked, "What inducement he had to his former story—who put him upon it?" He said, "No body prompted him; he only knew the men he swore against; he never saw Bedloe before he was taken up; he knew nothing of the plot nor of the murder;—and could not rest for the story he had told. But Wren owed him money, and threatened him because he dunned him for it, and so haired him into it." He was then remanded to prison.

After so serious an asseveration, no man of sense can imagine, that catholicks, or courtiers had gained Prance to retract his first deposition. For this would be only to alledge a bare suspicion without proof. But to have it believed, that the committee, and several members of both houses, had threatened Prance, in case his deposition agreed not with Bedloe's, there is no need of proof, and the bare relation of an historian who writ above thirty years after, is more than sufficient for that.

Unhappily Prance retracted once more. But this signifies nothing, because he denied what he had lately said before the king and council, by reason of the excessive torments he was made to suffer, till he had promised to depose whatever was desired. Let us hear what a famous historian<sup>a</sup> says on this occasion<sup>b</sup>.

"Prance, excepting just after his return, stood firm and L'Estrange. immoveable in his denial, against all terrors and temptations for about twelve days, from the 29th of December to the 11th of this present January. During which space of time, his usage was barbarous, and more like VOL. XI. K k "the

<sup>a</sup> Echard; who has borrowed the following paragraph, as well as several others from sir Roger l'Estrange, without naming his author.

<sup>b</sup> Burnet says, after Prance had declared before the king and council, that his first confession was all a fiction, he was carried back to prison, but immediately sent the keeper of Newgate to the king, to tell him, that all he had sworn was true, but that the horror and confusion he was in, put him on denying it. Yet he went off from this again, and denied every thing. Dr.

Lloyd was upon this sent to talk with him. At first he denied every thing to him. But dr. Lloyd told me, that he was almost dead through the disorder of his mind, and with cold in his body. But after that dr. Lloyd had made a fire, and caused him to be put in a bed, and began to discourse the matter with him, he returned to his confession, which he did in such a manner, that dr. Lloyd said to me, it was not possible for him to doubt of his sincerity in it, p. 446.

2678-9. " the Romish inquisition, than the methods of a free nation.  
 " For nine days at least his case was deplorable ; and what  
 " with the deadly cold and nastiness of the place, the dis-  
 " tress of his condition, the agony of his thoughts, under  
 " the horror of bringing new guilt upon his conscience, and  
 " the galling weight of his irons, he lay in such torments  
 " both of body and mind, that he spent his hours in roaring  
 " and groaning, frequently and pitifully crying out, Not  
 " guilty, not guilty ! No murder, no murder ! He used the  
 " same outcries, or clamours, at least, to that effect, so  
 " often, that the imposers had no way to cover the scandal,  
 " and the inhumanity of their treatment, but either by im-  
 " puting the anguish of a wounded conscience to the ravings  
 " of a disordered brain ; or by converting the marks of a  
 " true repentance into the story of a counterfeit madness.  
 " But when things were at the worst, France was now and  
 " then, as the good humour prevailed, eased of his irons,  
 " comforted with good words and promises, and no artifice  
 " omitted to bring him to a proper understanding. The  
 " keepers were then under the sole direction of a certain  
 " ambulatory committee, when and what degree to squeeze,  
 " to pinch, to ease, to shackle, to comfort, or to torment  
 " their prisoners ; and most things were done according to  
 " the particular orders of that cabal. It would be too te-  
 " dious to recite all the sufferings of this unfortunate man,  
 " who being unable to hold out as Coral had done, and  
 " finding his life in the same danger with those he had ac-  
 " cused, he at length submitted to the temptation, and  
 " upon a new assurance of pardon, he promised to stand by  
 " his former evidence. Immediately upon this, on the  
 " 11th of January, his irons were knocked off, and he  
 " was removed from hard boards, and a dismal cold  
 " room, to a fine lodging and a curious bed, with variety  
 " of the best meats and drink. Here having pen, ink and  
 " paper, and the assistance of his friend one Mr. Boyce, he  
 " finished his story, and prepared for being a compleat evi-  
 " dence against Green, Berry, and Hill, who were shortly  
 " after to come upon their trials."

As the author of this passage is not content with insinua-  
 ring, that France was compelled by torments to support his  
 second deposition, but openly undertakes to prove it by facts  
 which are entirely decisive, it is absolutely necessary for the  
 reader's instruction to make some remarks on this subject.

L. When

1678-9.

1. When in a controverted matter, an historian reports facts to which he was not an eye witness, and which however are capable of deciding for or against, the reader has a right to expect from him some testimony, or some author; in a word, to be informed, how he came to the knowledge of such facts. But here, we see neither testimony nor author, in the text or margin.

2. It appears from this very relation, that all the ill usage of France, consisted in keeping him nine days in irons. If this is like a Romish inquisition, it may be affirmed, England has a constant inquisition, since prisoners committed for murder, or other great crimes are never treated otherwise. Besides, it will be seen hereafter, that France denied his ever receiving any ill usage in prison, or his wanting any thing. As to the torments of his mind, and his roarings and groaning, supposing them true, only France himself could know the motives, and it must be surprising to hear an author talk of what passed in France's mind, as if he had been his confidant.

3. He ought to have explained what was this ambulatory committee, from whom the keepers received directions; for it is well known, that during the prorogation of the parliament (and all this passed at the time of the prorogation) the keeper of Newgate could obey no orders but those of the king, or at least of the courts of justice.

4. Lastly, in proof of a fact so remarkable and decisive, we have only the bare asseveration of the author, whose exaggeration is kept up with expressions the strongest and most capable to give the readers terrible ideas of the torments endured by France, which, however, amount to a nine days imprisonment in irons. Besides, the author positively says, that France was gained without telling us by whom, or how, or giving the least warrant for what he advances. I do not say that all this is false, for I know nothing of it. But as it is not forbid to rely on the faithfulness of the author, or of those from whom he has received his informations; so neither is it forbid to doubt of it, and to believe that he might be prejudiced by party stories, which are implicitly swallowed or rejected, according as they are advantageous or prejudicial to the side espoused by those who hear them.

Bedloe had given but a very imperfect information of the murder of Godfrey. He said indeed, it was committed in Somerset-house, and that he had seen the dead body. But as to the other circumstances, he only spoke of them as received from persons who had absented themselves; whereas

1678-9. Prance delivered in writing a more regular and full account, which contained precisely his deposition before the king in council, and was to this effect :

The substance of Prance's deposition concerning fir Edmundbury Godfrey's murder. Jan. 2. Prance's examination. Burnet, p. 445. Echard, III. p. 508.

“ Girald, Kelly, Green, Berry, Hill and Prance, with the approbation of some others, after several consultations”, had resolved to murder fir Edmundbury Godfrey, as being a bitter persecutor of the catholicks, an active discoverer of their designs, and a particular enemy to the queen's servants. Thus determined, on Saturday the 12th of October, Hill went to fir Edmundbury Godfrey's house in the morning, and talked with him in private”. Then taking his leave, he went to Girald, and Green, and with them staid hard by, waiting for the gentleman's coming out, which he did about ten or eleven, all alone as usually. They dogged him, to several places, till about six or seven in the evening, when Green went to Prance's house, and told him, they had set him near St. Clement's; and that Prance must make all haste to the water-gate, at Somerset-house, where he should find Kelly and Berry, which he did; and they three waited there till about nine a clock: when of a sudden Hill came running and said, He was coming, and they must pretend a quarrel, and he would fetch him in. While Kelly and Berry were in a seeming scuffle, Hill, at the gate, stopped fir Edmundbury Godfrey, and entreated him for God's sake to come in, for two men were a quarrelling, and he was afraid there would be bloodshed. The gentleman being a magistrate, did at last consent, and Hill entered the gate, first, to shew him the persons; and after them followed Girald and Green; while Prance watched the water-gate, and Berry was to secure the passage by the chapel. But first, he and Kelly, the pretended combatants, stood about the end of the rail by the queen's stables; and as fir Edmundbury went down towards them, Green suddenly threw a twisted handkerchief about his neck, and immediately all four pulled him down and strangled him, so as he could make no noise; after which they threw him behind the rail, and gave him some violent punches on the  
“ breast

“ Prance named an alehouse where they used to meet, and the people thereof did confirm this of their meeting there. Burnet, p. 445.

“ He went to see whether Godfrey was gone out, and spoke to his maid; who, upon Hill's being taken, went to Newgate, and in the crowd of pri-

soners distinguished him, saying, he was the person that asked for her master that morning. Ibid.—They had watched fir Edmundbury for several weeks, before they could find an opportunity of putting their villainous design in execution. MSS.

" breast with their knees, and Green with all his force  
 " rung his neck almost round. Prance and Berry being  
 " come to them, when he was quite dead, they all helped  
 " to carry the body into dr. Godden's lodgings, where Hill  
 " lived, and where they brought him up five or six steps,  
 " into a little room on the right hand, and there left him  
 " that night, and Sunday all day and night. On Monday  
 " night, Hill and some others removed him into a room in  
 " the upper court, where Prance was shewn the body by the  
 " light of a dark lanthorn, and where Bedloe swore he saw  
 " Prance. On Tuesday night, they carried him to another  
 " room in the long entry, over against dr. Godden's lodg-  
 " ings; and on Wednesday night they removed it to the  
 " little room where it was first laid. Having kept the body  
 " above four days and nights. Girald and Kelly advised to  
 " have it carried into the fields, and leave him run through  
 " with his own sword, that he might be supposed to have  
 " murdered himself; and therefore his money, rings, &c.  
 " were all to be left with him. This being agreed, they  
 " resolved to carry him out that night; and accordingly  
 " Hill procured a sedan, or chair, into which they put the  
 " body about twelve a clock. Berry the porter, having in-  
 " vited the centinels into his house, opened the gate, and  
 " Prance and Gerald carried out the sedan<sup>x</sup>. Thus, some-  
 " times they two, and sometimes Kelly and Green, carried  
 " it up towards Soho-fields, hard by the Grecians church;  
 " and there Hill attending with a horse, they set the body up  
 " before him, and left the sedan in some unfinished build-  
 " ings in that place; whereupon Gerald said, I wish we  
 " had a hundred such rogues as secure as this. Then Prance  
 " being a housekeeper, returned home; and the other four  
 " went on, one leading the horse, Hill riding and holding  
 " the body<sup>y</sup>, and the other two walking by. They carried  
 " him to a place called Primrose-hill, about two miles out  
 " of town, where they left him in a ditch, with his own  
 " sword run through his body by Gerald himself, in the ex-  
 " act posture of one that had murdered himself."

This deposition, which was immediately published, met  
 with an entire belief from the people. But afterwards, when  
 the popish party prevailed, several authors endeavoured to  
 find many mistakes and inconsistencies in it, and even main-

K k 3

tained,

<sup>x</sup> One of the centinels swore he  
 saw a sedan carried in; but none saw  
 it carried out. Burnet, p. 446.

<sup>y</sup> They had agreed to say, in case

they should meet any body, that it  
 was a drunken man they were carrying  
 in that manner. MSS.

1678-9. tained, that it was not penned by Prance, but by some able hand. As at first it was dangerous to say, that Prance was a false witness, it was afterwards no less dangerous to maintain, he had spoke the truth. Hence some adhere to this deposition, and others to the writings afterwards published against it, to demonstrate its falshood.

Proclamation  
against  
the papists.  
Echard,  
III. p. 509.

Jan 3.  
Kennet,  
p. 356.

Jesuits  
taken  
up upon the  
information  
of Dugdale.  
Echard,  
III. p. 509.  
Burnet.

While these things were transacted, the king was by no means at ease. The plot (of which he was suspected to be the author, at least in what concerned the government and religion) and the impeachment against the earl of Danby, which entirely reflected upon him, could not but greatly perplex him. To divert a little these suspicions, he published, the beginning of January, several proclamations against the papists, who, immediately after the prorogation of the parliament, were returned to London and Westminster. By another proclamation, he recalled all his subjects from the foreign seminaries; but these were remedies little capable of curing the people's suspicions and fears.

About this time was discovered a college of jesuits at Lower-Come in Herefordshire. Moreover, a fresh witness appeared, one Stephen Dugdale, who pretended to make new discoveries in the plot, and accused five jesuits, and one priest<sup>2</sup>. This obliged the king to publish a new proclamation against Evers, Gawen, Vavafor alias Gifford, Levison, jesuits, and Broadstreet a priest, with a promise of

<sup>2</sup> Burnet gives the following account of this Dugdale and his evidence. He had been the lord Aston's baily, and was a man of sense and temper. He behaved himself decently, and had somewhat in his air and deportment that disposed people to believe him; so that the king himself began to think there was somewhat in the plot, though he had little regard to Oates or Bedloe. He made a discovery of a correspondence that Evers held with the jesuits in London, who had writ to Evers of the design of killing the king, and desired him to find out proper men for executing it. Three other jesuits pressed Dugdale to undertake it, promising he should be canonized for it, and the lord Stafford offered him five hundred pounds, if he would set about it. Dugdale's evidence was confirmed by

one circumstance. He had talked in the country of a justice of peace in Westminster that was killed, on the Tuesday after Godfrey was missed; so that the news of this must have been writ from London on the Saturday night's post. He did not think it a secret, so talked of it as news in an alehouse. The two persons, he said he spoke to, remembered nothing of it, but several others swore they had heard it. He said moreover, that the duke had sent to Coleman when in Newgate, to persuade him to discover nothing, and desired to know whether he had ever discovered their designs to any other person; and that Coleman sent answer, that he had spoke of them to Godfrey, but to no other man, upon which the duke gave order to kill him. p. 444.

of a hundred pounds to any that should apprehend Evers, 1678-9, and fifty-pounds for each of the rest <sup>a</sup>.

Mean while, as the time for the meeting of the parliament approached, the king perceiving that in the present disposition of the commons, he should receive no advantage from them, but rather new mortifications, on the 24th of January dissolved the parliament by proclamation<sup>b</sup>, promising withal, to issue out writs for the calling of a new parliament the 6th of March following. Thus ended the long parliament, which had continued almost eighteen years, and had been for twelve years so favourable to the king. Never parliament had been so liberal to any king, or carried the prerogative higher. If Charles II. had not pursued methods so contrary to the interests of the kingdom, he would never have lost the affection of this parliament, which studied only to please him, and give him the most effectual proofs of their zeal. But when, in process of time, they discovered, that the king had ill designs against the government and the established religion, which he had sufficiently shown by his two wars against Holland, and his intimate union with France, they began to consider him as an enemy to the state, whose designs and measures were to be broken. The letters, produced by mr. Montague in the parliament, fully convinced the most incredulous, that the king was a pensioner of France, and sacrificed the interest of England to that crown. It is therefore no wonder, that the parliament credited the discovery of a plot, which was so natural a consequence of the king's designs, now entirely believed. Indeed, the first article of the plot, concerning the killing of the king, might be doubtful and uncertain; wherefore the parliament willingly left it to the decision of the courts of justice. But the two last, relating to render the king absolute, and subverting the established religion, needed no other proofs than those the king had given. Besides, the duke of York being a professed papist, and having a great influence in the king's counsels, it was not difficult to conceive, that he being such a zealot for his religion, would lose no occasion of promoting it: and this his secretary's letters plainly demonstrated. Indeed, the parliament was composed chiefly of rigid episcopalsians,

The king dissolves the parliament. Kennet, p. 356. Burgett.

another. A reflection upon this parliament.

K k 4

episcopalsians,

<sup>a</sup> Gawen was soon after taken into custody, but the rest absconded, Echard.

<sup>b</sup> Some think, this parliament was dissolved, on purpose to protect the papish lords in the Tower, and divert,

if possible, the mischief of the popish plots or else to cover the duke of York from the resentment of the commons, and the general indignation of the people. Kennet, p. 356.

1678-9. copalians, who perhaps cannot be vindicated in their persecution of the presbyterians. But however they were not willing to sacrifice the protestant religion, and the liberties of the nation, to their passion against presbyterianism. From hence flowed the quarrels between the king and the parliament, the mortifications so frequently given him, and his dissolution of it at last, though he had in it so many creatures, purchased either with money or pensions. At first, this trade was secretly carried on, but after Clifford's advancement to the treasury, it was practised so openly, that every man's name and price were publickly known. Notwithstanding all this, when once the conduct of the king and court was considered, it was not possible for the king to obtain a majority in the house of commons, because those who were ready to sacrifice the nation's money to the king, would not sacrifice to him their liberties and religion. Another cause also stopped the king in his career, namely, that as soon as the people were dissatisfied with the court, vacancies in the parliament were filled with men of quite contrary principles to the king and duke of York, so that in time, the parliament became very different from what it was at the beginning. It is not therefore strange, that the king should desire to be rid of a parliament, from which he could expect no farther benefit. But he flattered himself in vain, with having another more favourable, as will hereafter appear.

Elections  
for a new  
parliament.  
Id. p. 512.

Upon the 25th. of January, the king issued out writs for the new election, which put the whole nation into a ferment. It happened to the king, on this occasion, as it had happened to his father. The people being discontented with the court, and full of suspicions and fears, affected to choose representatives the most averse to popery and arbitrary government. And as the high church men had been for several years a little too strongly attached to the king; and had, in the last parliament, passed acts to raise the royal power higher than ever, the people in general were not for trusting their interests in such hands. On the other side the presbyterians, though long oppressed, were still numerous in the corporations, so that by the superiority of their votes, they commonly carried the elections in favour of their own party, or at least of men, who had only outwardly conformed to the church of England. In a word, when the returns were made, it was found, that most of the representatives were men very opposite to the principles and designs of the court. The king, to prevent these

Id. p. 513.

these impressions, affected an extraordinary severity against the papists, and by proclamation, on complaint of the neglects of the prosecution of recusants, ordered the chancellor to put out of commission, all justices of peace, who were remiss in their duty. But this was too frequent an artifice, to be capable to persuade the people, that the king was truly zealous for the protestant religion.

While all were engaged in the new elections, three of the five, accused of Godfrey's murder, namely, Green, Berry, and Hill, were tried at the King's Bench bar, before the lord chief justice Scroggs, the 10th of February.

Trial of the murderers of Godfrey State trials, t. II. p. 765.

Oates deposed, That he had heard Godfrey say, a little before his death, "That he went in fear of his life by the popish party, and had been dogged several days."

Burnet. Oates's deposition.

One Robinson testified, That he heard him say, "That he believed he should be the first martyr."

Robinson's deposition.

Prance's evidence was the same with what he had before deposed. The prisoners objected to him, that he had recanted, and denied all before the king and council. The court made for him the answer which he had before given to the council, "That all that was nothing but an unusual fear, and a want of a full assurance of his pardon." Some represent this as a great partiality in the judge. But it must be observed, that judges sit upon the trial of criminals, not to condemn or acquit: the jury decide the case, and find the prisoners guilty or not guilty. When therefore any material difficulty offers, it is the office of the judge to direct the jury, and show them what they are, and what they are not to mind, with the reasons of their opinion. So I doubt, that on this occasion the court did not exceed the bounds of their duty, though I will affirm nothing.

Prance's deposition.

Hill's wife asked Prance, whether he had not been tortured in Newgate, since several had heard him cry out in that place? He answered, "That he had not——That captain Richardson had used him as civilly as any man in England; and that all the time he was there, he wanted for nothing." This answer, as we see, is very contra-

That State trials, t. II. p. 780.

c To this Richardson, keeper of Newgate, answered, "That Prance had told him, it was fear that made him recant; and he [Prance] gave a full satisfaction, that it was only out of an apprehension that his life was not secure; that his trade would be lost among the Roman catholics; and in case he had his par-

"don, and was saved, he should have been in danger of being murdered by them." He said himself afterwards, that it was for fear of losing his employment from the queen, and the catholics, which was the most of his business, and because he had not his pardon. State trials, tom. II. p. 765, 780.

678-9. contradictory to the aggravated recital of his torments, though even in that recital, nothing is said which tends to shew, *L'Estrange.* that he was put to the torture. However, the author of the recital, better informed than Prance himself, scruples not to say, "That the poor man, to support the credit of his evidence, was forced to disown all his barbarous usage."

*Bedloe's  
evidence.*

Bedloe had already deposed before the lords, "That le Phaire, Walfsh, Pritchard, Keins, &c. had wheedled sir Edmundbury Godfrey into Somerset-house court, under pretence of taking some plotters, and after a turn or two, and the pretence of sending for a constable, they showed him to a room, presented a pistol to him, threatening to kill him, if he made any noise, but would do him no hurt, if he would send for his examinations; which he refusing to do, they stifled him between two pillows, and after that, upon finding some life in him, they strangled him with a long cravat."

Some have remarked, that this first evidence of Bedloe, was directly contrary to Prance's. Others have observed, that Bedloe never said that he was present at the murder, but only deposed what he heard from others; consequently, that there was no real contradiction between the two witnesses.

In the present trial Bedloe deposed, "That about a fortnight before the murder, le Phaire, Pritchard, Keins, and some other Romish priests, all unknown to Prance, discoursed Bedloe about killing a certain Gentleman, not named; and then set him to insinuate himself into sir Edmundbury Godfrey's acquaintance, which he did under several pretences. That on the very day of the murder, le Phaire told him, there was a gentleman to be put out of the way that night, and would have him to assist, and that there would be four thousand pounds reward from the lord Bellasis, &c. and therefore desired him to meet in the cloyster at Somerset-house that evening, for thereabouts it was to be done; which he promised to do, but wilfully failed them, because he would not have his hands in blood. On the Monday after, le Phaire meeting him, charged him with breach of promise, and appointed him to come to Somerset-house at nine that night, where he told the witness, That he had done ill, that he did not help in the business; but if he would help to carry him off, he should still have half the reward; and told him he was actually murdered. The witness asked, if he might see him; upon which le Phaire led him through

1678-9.

“ a dark entry, into a room where were several people, and  
 “ Prance amongst them, and only by the light of a dark  
 “ lanthorn he saw the face of the murdered person, and  
 “ knew him to be sir Edmundbury Godfrey. The witness  
 “ advised to tie weights about him, and throw him into  
 “ the Thames; but they did not approve of that, but said,  
 “ they would put it upon himself, and carry him out in  
 “ a chair, by the help of the porter Berry, at twelve that  
 “ night. The witness promised, upon the sacrament, which  
 “ he had taken the Thursday before, to come again and  
 “ help them; but being got from them, his conscience  
 “ would not permit him to go any farther, though he  
 “ had been promised two thousand pounds for his labour,  
 “ but he rather chose to discover the villany to the king  
 “ and council, and accept of a quarter of the sum in an  
 “ honest way.”

What appears most strange in this deposition, is not its  
 contrariety to the first, in which he only spoke by hearsay;  
 but that Bedloe did not relate these circumstances to the  
 lords, having only said, that he had seen Godfrey's body  
 in Somerset-house, and Prance in the same room.

The constable that viewed the body in the ditch, gave the constable's deposition.  
 an account, “ That the sword was sticking through him,  
 “ but no blood appeared upon the ground, and he found  
 “ gold and silver in his pockets.” Two surgeons swore,  
 “ that they verily believed the sword was run through him  
 “ after he was dead and cold: but that he died by reason  
 “ of the suffocation, and breaking of his neck, and bruises  
 “ on his breast.”

Sir Robert Southwell deposed, “ That Prance having re-  
 “ lated the matter to the council; and being sent with  
 “ the duke of Monmouth and the earl of Ossory to shew  
 “ the place he mentioned, did readily go to them all, and  
 “ they appeared all to be such as he had described them;  
 “ only as to the room in the upper court, where the body  
 “ was laid one night, having never been there but once,  
 “ he said he could not positively assign it, but pointing  
 “ to some rooms, and said, he was sure it was therea-  
 “ bouts.”

As to the prisoners defence, Hill brought several witness-  
 es to prove, “ That he was never out of his lodgings af-  
 “ ter eight a clock at night, during the whole time of this  
 “ transaction.”

Some have pretended, that these depositions were not re-  
 garded, because the witnesses were papists. But no such  
 thing

1678-9. thing is said in the printed trial, and it is difficult to know the thoughts of the jury, who were the sole judges of these evidences.

Besides, Hill shewed, " That when he heard of Prance's " being taken up for the murder, he had full leisure to " make his escape, which he never endeavouring, was a " great presumption of his innocence." It is to be presumed, the jury took but little notice of this proof.

Green proved by two witnesses, James Warrier and his wife, " That he was at their house in the Strand from " between seven and eight till after ten, on that very " night and time that sir Edmundbury Godfrey was said to " be murdered in Somerset-house." But unhappily, Warrier willing to corroborate his evidence, added, " That " Green's being apprehended a month after the murder of " Godfrey, recalled to his mind, that the said Green had " been with him on Saturday the 12th of October, from " eight to ten in the evening." But, besides that Green was not arrested till the 24th of December, that is to say, two months and twelve days after Godfrey's murder, he was not taken up for this murder, but for refusing the oaths, which could not cause Warrier to remember, that Green had been with him the day Godfrey was murdered. Green added, " That when Prance was taken up, he shewed such " a detestation of the fact, that he said, Rather than he " should escape, if he were guilty, he would be the executioner himself." In all likelihood, this proof appeared not very material to the jury. In behalf of Berry the porter, the soldiers that were placed centinels at the gate, testified, " That no sedan went out of the gate that night that the " body was said to be carried off, though one did come in, " and that they could not be mistaken in so plain a matter." And Berry's maid declared, That her master was in bed " by twelve a clock that night, and never stirred out, which " made it impossible for him to be upon the whole expedition."

They all endeavoured likewise to invalidate Prance's evidence; but the court observed, " That it was impossible " that Mr. Prance, a man of that mean capacity, should " invent a story with so many consisting circumstances, if " there was no truth in the bottom of it:" but adds the historian whom I have often quoted, " others observed, " That the story was invented by some body else of a " greater capacity." This insinuation is supported only upon his system. But besides, had the penner of this nar-

ative

Burnet,  
p. 447.

Echard,  
III. p. 515.

rative been so able as is supposed, it would not have been 1678-9. difficult to give it a perfect agreement with Bedloe's first deposition, whereas it was different in many respects. For when a man is only to invent, and has false witnesses ready to support the invention, he need not be much puzzled about the facts.

In conclusion, the jury brought them all in guilty of the murder. Whereupon, the lord chief justice Scroggs said, They are condemned in State trials, II. p. 785. "They had found the same verdict that he would have found, if he had been one with them."

They all three insisted upon their innocence to the last moment of their lives. Berry owned, "That he was a protestant in his heart, but had for some time dissembled his religion for his private advantage." and executed without making any confession. Id. p. 516. Burnet, p. 447.

Hill, to persuade the ordinary of Newgate of his innocence, gave him this notable proof of it; "That he had wronged one in a twelve-penny matter, which had so troubled his conscience, that he had made restitution since his condemnation, though he was in extreme want of present necessities:" and therefore he thus argued with him, "If I have taken shame upon myself, in confessing my crime in the case of a trifle; can you think I would deny the murder to maintain my reputation?"

Green and Hill were executed the 21st of February; but Berry was reprieved till the 28th of May.

The time for the meeting of the parliament drawing near, the king, after examining the elections, foresaw a storm gathering against the duke of York. Wherefore, to prevent it, and persuade the new parliament that his counsels were not influenced by his brother, he resolved to send him away, and for that purpose, the 28th of February, writ him the following letter:

"I have already given you my resolves at large, why I think it fit that you should absent yourself for some time beyond the seas: as I am truly sorry for the occasion, so may you be sure, I shall never desire it longer than it will be absolutely necessary for your good, and my service. In the mean time, I think it proper to give it you under my hand, That I expect this compliance from you, and desire it may be as soon as conveniently you can. You may easily believe with what trouble I write; there being nothing I am more sensible of, than the constant kindness you have ever had for me. I hope  
"you

d It was done by the earl of Danby's advice. Burnet, p. 452.

1678-9. "you are as just to me, to be assured, that no absence,  
 "nor any thing else, can ever change me from being truly  
 "and kindly yours,"

C. R.

Who with-  
 draws to  
 Brussels.

The duke immediately obeyed, and the 3d of March departed for Holland, with his duchess, and the princess Anne his daughter, from whence he went and resided at Brussels.

Proceedings  
 against  
 Danby in  
 state trials,  
 II. p. 714-  
 Burnett.

Mean time, the king fearing that the new parliament would impeach the earl of Danby, and that the earl, in prevention of his own danger, would be obliged to reveal secrets, which he wished to be concealed, granted him, under the great seal, as full and compleat a pardon as could be drawn.

The king's  
 speech to the  
 parliament.  
 Kennet,  
 p. 360.

The new parliament meeting the 6th of March, the king made a speech, tending to show how well affected he was to the laws of the land, and the protestant religion. He spoke of his care in punishing, as well those concerned in the plot, as the murderers of Mr Edmundbury Godfrey, and forgot not to mention the removal of the duke of York. Lastly, he demanded money for disbanding the army, and for paying the fleet. The chancellor enlarged upon all these points with great exaggerations, according to his custom.

A difference  
 between the  
 king and  
 commons  
 about the  
 choice of a  
 speaker.  
 Ibid.  
 Burnett.  
 Echard,  
 III. p. 522,  
 &c.

The parliament began with a warm dispute between the king and the commons, about the choice of a speaker. The commons having chosen Mr. Edward Seymour<sup>e</sup>, the king, who knew Seymour was a particular enemy of the earl of Danby, refused his approbation, and ordered the commons to proceed to a new choice. The house was extremely displeased with the refusal, alledging, "That it was never known that a person should be excepted against, and no reason at all given, and that the thing itself, of presenting a speaker to the king, was but a bare compliment." The king, on his side, insisted on his approbation or refusal of a speaker when presented to him, as a branch of his prerogative<sup>f</sup>. During a six days dispute, the commons made several representations to the king, to which he gave very short answers. At last, as the commons would not desist from what they thought their right, the

A short  
 prerogation.

<sup>e</sup> Who was one of the representatives for the county of Devon, and treasurer of the navy. Kennet, p. 360.

<sup>f</sup> Without giving any reason to the persons choosing, or the person chosen. Echard, tom. III. p. 522.

The king went to the parliament, and prorogued it from the 13th to the 15th; that is, for one day's interval between the two sessions. The parliament meeting the 15th, the king ordered the commons to proceed to the choice of a speaker. Then to avoid a revival of the dispute, they chose mr. William Gregory serjeant at law, who was approved by the king.<sup>Another speaker chosen.</sup>

The commons began with appointing a committee to examine controverted elections, three score petitions having been already presented.

This affair being put into a way of determination, the commons appeared resolved to pursue the matters which the late parliament had left undecided. For this purpose, the 20th of March they appointed a secret committee, to take informations, prepare evidence, and draw up articles against the lords that were impeached, and to take such further informations as should be given, relating to the plot against his majesty and the government, and the murder of sir Edmundbury Godfrey. At the same time they desired the lords, by an express message, to remember the impeachment of high treason exhibited against Thomas earl of Danby, in the name of the commons of England, and to commit him to safe custody. They resolved also, that it should be referred to the committee of secrecy, to draw up further articles against him. The earl of Danby was greatly embarrassed; for he could not make his defence, without producing the letters writ by his majesty's particular order, and other papers which the king was willing to conceal. Wherefore he resolved to adhere to the benefit of his pardon.<sup>A secret committee appointed Kennet, p. 360. Richard.</sup>

The next day, the 21st of March, dr. Tonge, Oates, Bedloe, and a Scotchman, one Edmund Everard, a new discoverer, were called before the commons, to give in their informations concerning the plot. Bedloe having delivered in his information, the house resolved, "That an humble address be made to his majesty, that the five hundred pounds promised by his proclamation for the discovery of the murder of sir Edmundbury Godfrey, may be paid to mr. Bedloe, and that he would further be pleased to order, that the twenty pounds reward for the discovery  
" very

g He was recommended by William lord Russel. Kennet, p. 560. Burnet adds, the point was settled, that the

right of electing was in the house, and that the confirmation was a thing of course, p. 453.

1678-g. "ry of every priest, may be effectually paid to the discoverers."

Another. By another address, they desired, "That the care of mr. Bedloe's safety might be recommended to the duke of Monmouth." The king answered, "That he would take immediate care for the payment of the five hundred pounds, and the twenty pounds they desired: that he had hitherto taken all the care he could of mr. Bedloe: that he knew how considerable his evidence was: that he would see hereafter, that he should want for nothing, but that he could not be answerable for him when he went abroad."

A vote of the commons relating to the conspiracy. Upon the whole, the commons came to a vote something like that in the last parliament, namely, "That the house doth declare, that they are fully satisfied that there now is, and for divers years last past hath been, a horrid and treasonable plot and conspiracy, contrived and carried on by those of the popish religion, for the murdering his majesty's sacred person, and for subverting the protestant religion, and the antient and well-established government of this kingdom." The lords concurred to this vote without hesitation, as also to an address to be presented jointly by both houses to the king, to pray him to appoint a solemn day of humiliation and fasting throughout the whole kingdom. The king granted their request, and the 11th of April was appointed to be kept as a publick fast day.

And of the lords.

A fast appointed. Kennet, p. 361. Echard.

The 22d of March, the commons ordered a bill to be brought in, to secure the king and kingdom against the danger and growth of popery.

The king interests himself in the earl of Danby's affair.

The same day the king going to the parliament, spoke to both houses in favour of the earl of Danby. But the commons, unmoved with this speech, were no sooner returned to their house, than they sent a message to the lords, to demand that the earl might be forthwith committed to safe custody. The lords seeing the passion of the commons, offered them in a conference, the draught of a bill, by which the earl of Danby should be for ever incapable of coming to his majesty's presence, and of all offices and employments, and of receiving any gifts or grants from the crown, and of sitting in the house of peers. But the commons were not satisfied with such a bill, probably, for two reasons. The first was, that the earl of Danby had implacable enemies among the leading commons. The second, that purposing to discover the king's secrets, by a

An offer of the lords,

rejected by the commons.

strict examination of the earl of Danby's affairs, they saw 1678-9. that this bill was only an artifice, to conceal what they wished to know and divulge.

Mean time, the commons hearing that the king had signed a pardon for the earl of Danby, appointed a committee to repair to the chancellor, and enquire how this pardon was sealed, and at whose suit. The chancellor answered, "That it was done very privately, the king having ordered him to bring the seal into his closet, and lay it upon the table; that his majesty commanded the seal to be taken out of the bag, and ordered the person who usually carried the purse, to affix it to the pardon." The chancellor added in his justification, "That at the very time of affixing the seal to the parchment, he did not look upon himself to have the custody of the seal: that the pardon was passed with the utmost privacy, at the desire of the earl, who gave this reason for it, that he did not intend to make use of it, but to stand upon his innocence, except false witnesses should be produced against him; and then he would make use of it at the last extremity: that notwithstanding this reason, he advised the earl to let the pardon pass in the regular course; but after consulting with the king, his majesty declared, he was resolved to let it pass with all privacy."

The commons examine into the earl's pardon. The chancellor's account of it. Kennet, p. 361. Burnet, p. 453. Echard, iii. p. 527.

The house, upon hearing this report, were inflamed against the earl, and one of the members<sup>1</sup>, naming the earl of Danby, proceeded thus:

"—The

h The king, in his speech for the earl, said, he had done nothing but by his order, and therefore he had pardoned him; and if there was any defect in his pardon, he would pass it over and over again, until it should be legal. Upon this a great debate was raised; some questioned whether the king's pardon, especially when passed in bar to an impeachment, was good in law: this would encourage ill ministers, who would be always sure of a pardon. The king's pardon did indeed secure one against all prosecution at his suit; but, as in case of murder an appeal lay, from which the king's pardon did not cover the person, since the king could no more pardon the injuries done his people, than he could forgive the debts that were owing to them; so from a parity of reason it was inferred, that since the offences of

ministers of state were injuries done the publick, the king's pardon could not hinder a prosecution of parliament, which seemed to be one of the chief securities, and most essential parts of our constitution. When the bill of banishment, which passed in the house of lords, was sent down to the commons, Winington fell on it in a most furious manner, and inflamed the house so, that though it was offered that the earl should be degraded of his peerage as well as banished, and that no pardon for the future should be pleaded in bar to an impeachment; the bill was thrown out by the commons, and a bill of attainder brought in, as will be seen hereafter. Burnet, p. 453.

<sup>1</sup> Mr. Powle, afterwards one of the new council.

1678-9.

Speech a-  
gainst the  
earl of Dan-  
by.  
State trials,  
t. III. p. 730.  
Echard,  
III. p. 527.

“—The person to whom we owe the dangers and fears  
“ of the French king against us: the person to whom we  
“ owe the threats and severe answers to those humble ad-  
“ dresses we made the last session of parliament: the person  
“ to whom we owe the ruin of this nation, and exhausting  
“ the king’s revenue: the person to whom we owe the ex-  
“ pence of two hundred thousand pounds a year, unaccount-  
“ ed for: the person to whom we owe the raising of a stand-  
“ ing army, to be kept up by the receipt of six millions of  
“ livres yearly, for three years, to enslave us, and our  
“ religion: the person to whom we owe the late bone  
“ that was thrown in on the sitting of the last parliament,  
“ to hinder the good issue that might have come by their  
“ proceedings; who is now laying down his staff, and  
“ making up his accounts in the treasury, as he pleases,  
“ to enrich himself out of the spoils of the people, and so  
“ depart.”

A remark  
upon the  
plot.

I have often said, that the people in general were per-  
suaded, not only of the reality of the plot, at least with  
regard to the government and religion, but that even the  
king and the duke of York were the true authors of it.  
This speech plainly shows, it was at least the opinion of the  
speaker, and when a member of the commons advances  
such propositions, without a reprimand, one may be sure  
he speaks the general sense of the house. Besides, the re-  
moval of the duke of York was a demonstration, that the  
king was not ignorant of his being suspected to submit too  
much to the counsels of his brother. It is therefore hard to  
conceive, why so many sensible men obstinately labour to  
shew, there was no real plot, because the article concerning  
the design of killing the king, may be doubtful. For, the  
truth of the two other branches, concerning the govern-  
ment and religion, flows from so many circumstances, that  
one must be wilfully blind not to see it. Perhaps the word  
plot offends some persons, who cannot comprehend how a  
king can plot against his subjects. But if this is all, there  
is a way to be soon agreed. Instead of saying there was a  
plot to subvert the government, and the protestant religion,  
let it be said, there was a project or design on foot, headed  
by the king and the duke of York, to render the king ab-  
solute, and introduce popery. But this is precisely what is  
meant by the plot. For the design of killing the king was  
only an appendix to the plot, supposing it real, and an ef-  
fect of the furious zeal of some private persons, who thought

to accomplish the plot better by placing the duke of York on the throne. 1679.

I shall not insert here the earl of Shaftsbury's speech in the house of lords, because so much pains has been taken to represent him as the great enemy of the king, and the first mover of the whole party, that whatever came from him must be suspected. I shall produce, however, one passage of this speech: "Popery, says he, and slavery, like two sisters, go hand in hand; sometimes one goes first, sometimes the other; but wheresoever the one enters, the other is always following close at hand. In England, popery was to have brought in slavery; in Scotland, slavery went before, and popery was to follow." Thus much is certain, that his observation on the slavery of Scotland was exactly true, and that the duke of Lauderdale, supported by the court, exercised among the Scots a tyranny unknown to their forefathers. What therefore could the English imagine, when they saw a neighbouring kingdom, invested with no less privileges than England, governed in so absolute a manner, under the same king and the same ministry? Could they expect that the same principles would not be followed in England, if it could be done with the same ease?

The same day, the lords sent a message to acquaint the house of commons, that the earl of Danby had withdrawn, and could not be found. Whereupon the commons ordered, "That a bill be brought in to summon Thomas earl of Danby, to render himself to justice by a day to be therein limited, or in default thereof, to attain him." The 3d of April, articles of impeachment against the five lords in the Tower were drawn up by the commons, and carried to the house of lords, as well as the bill to fix a day for the earl of Danby to render himself to justice. The lords having sent back this last bill with some amendments, the commons were dissatisfied, because the lords were not of opinion, in case the earl refused to surrender himself, to proceed against him by bill of attainder, but to content themselves with inflicting other penalties. The two houses had several conferences upon this subject, in which the commons continued immovable, without any diminution of their rigor against the earl. At last the lords passed the bill, and appointed the 23d of April for the earl's surrendering himself to trial. The earl seeing that his absence could not hinder the bill of attainder from passing against him, resolved at last to surrender himself to the usher of the black rod,

March 25.  
Echard,  
III. p. 528.  
The earl of  
Shaftsbury's  
speech.

Burnet.

The earl of  
Danby  
withdraws.  
A bill pre-  
ferred a-  
gainst him  
by the  
commons.  
State trials,  
t. II. p. 73.  
Kennet.  
Echard.

Passed by  
the lords.  
He surren-  
ders himself,  
and is sent  
to the Towers

1679. and the same day, he was sent to the Tower. The king then found himself involved in greater difficulties than he had ever struggled with before, as he saw, the earl of Danby could not make his defence without divulging his secrets.

The king  
forms a new  
council.  
Temple's  
mem.  
Kennet.  
Echard.  
Burnet.

If the king would have altered his maxims and principles, he might have been easily freed from these troubles. He had only to break his union with France, dismiss those of his ministers who were unacceptable to the parliament, and act with sincerity for the interest of the kingdom, and of the protestant religion, abandoning all the projects he had hitherto formed. But he could not resolve to make this sacrifice, both because he believed his honour concerned, and his design was only to gain time, and amuse the parliament. It was with this view, that by the advice of sir William Temple, he resolved to establish a new council, into which were admitted some lords most opposite to him, as the earls of Shaftsbury and Essex. This council consisted of thirty members<sup>k</sup>, fifteen of whom were ever to be the present chief officers of his crown and household. Ten were to be taken out of the nobility, and five out of the commons. But he took care in this model of his council, to have a majority of such as were devoted to him. The earl of Shaftsbury was made president of this council, though no man was more hated by the king. His aim was to persuade the publick and the parliament, that he was resolved entirely to change his manner of governing, and be guided in all affairs whatsoever, by the advice of the new council. But this was only to amuse the publick. For as it was not possible for the king to depart from his principles, concerning religion or government, so most of his new counsellors were not for sacrificing the royal authority to the will of the parliament. The earl of Shaftsbury would have been extremely pleased with being president of the council, if his authority had been proportionable to his office. But he quickly perceived, he was there only for show: and to be subservient to the king's designs, whilst others had his confidence. There were chiefly four who had the direction of affairs committed to them, namely, the earls of Sunderland and Essex, the lord Halifax, and sir William Temple. These digested and prepared what was to be proposed to the council or the parliament.

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<sup>k</sup> See a list of this council in Kennet, p. 362. Echard, t. III. p. 536, and appendix to Temple's mem. p. 363.

The king had no sooner made this alteration, than he came to the parliament to acquaint them with it. But though the city of London, and the rest of the kingdom resounded with joyful acclamations, and were persuaded that things were going to change for the better, the house of commons received the news with great coldness. They had not sufficient confidence in the king, to believe he really intended to govern otherwise than he had hitherto done, but thought this was some new artifice, which would soon produce its effects. So, by this change the king gained not much ground in the house of commons. I am sensible, the distrust of the commons is ascribed to Shaftsbury's intrigues, and sir William Temple even insinuates in several places. But it is not easy to comprehend how a single man should have had credit enough in the country party, to direct them as he pleased, if that party had not otherwise known what Shaftsbury laboured to make them believe. For instance, this earl insinuated that the nation could not be secured against the duke of York, and that when he should once possess the crown, all provisions against him would vanish. Was he in the wrong? And was there need of so great a credit to convince the country party of a thing they were but too well convinced of before? It is therefore a mere artifice solely to impute the animosity of the commons to the earl of Shaftsbury, as if it had no other foundation than his credit and intrigues, in order to remove thereby the just and real occasions of complaint against the king's government. The measures pursued by the court in the foregoing years, both against the established government and religion had been seen. What had the king done to cause them to be forgot? He had issued out proclamations against the papists, but they were so ill executed, that they were not apt to inspire the parliament with confidence. The king, under colour that he might be engaged in a war against France, had levied thirty thousand men, and at the same time was negotiating a yearly pension with that crown of six millions of livres for their maintenance, as plainly appeared from the letters in parliament. What had the king done to remove the fears occasioned by this army? He had applied to their maintenance the money granted by the parliament for their disbanding, and if he had consented to their being dismissed, it was because he applied to another use the money received from France. In short, was it possible to forget the transactions of the cabal, the king's indolence with regard to the interests of England and

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of all Europe, the frequent prorogations of parliament at critical times, when vigorous resolutions were taking against France grown too powerful; his design, in conjunction with that crown, of utterly destroying the commonwealth of Holland; a design so directly opposite to the interests of England? Could it not be seen, that the king was without legitimate children, and the duke of York his brother and presumptive heir, not only a papist, but also a bigot to his religion? Could the transactions in Scotland be concealed, where arbitrary power was completely established? I do but just mention some of the principal points, for it would be too tedious to relate all the causes of the nation's suspicions and fears. After this, how is it possible to believe that Shaftsbury's intrigues and artifices were the sole cause of the commons distrust? I do not doubt that he contributed to them, and that being so well informed, as he was, of the king's secret designs, he opened the eyes of many people who perhaps would have been deceived by the artifices of the court. But this is not what is meant by ascribing the people's fears and jealousies to the intrigues of this earl. That he was actuated by a spirit of revenge, is no concern of mine, but the event too plainly showed, how agreeable were his advices to the interest of the kingdom.

A design  
discovered to  
burn London.  
Echard,  
III. p. 540.

While the alterations the new council was to bring in the affairs of the government, were impatiently expected, the commons were suddenly alarmed by an information of a fresh design of the papists to burn London a second time. The house of one Bird in Fetter-lane being set on fire, his servant, Elizabeth Oxley, was suspected of firing it on purpose, and sent to prison. She confessed the fact, and declared, she had been employed to do it by one Stubbs a papist, who had promised her five pounds. Stubbs being taken up, confessed, he persuaded her to it, and that father Gifford his confessor put him upon it, telling him, "it was no sin to burn all the houses of hereticks." He added, that he had frequent conferences on the affair with Gifford and two Irishmen. Moreover, Stubbs and the maid servant declared, the papists were to make an insurrection, and expected an army of sixty thousand men from France. The commons obtained a pardon for Stubbs and the servant, in consideration of their ready confession. But it was generally inferred from this incident, that it was not Gifford's fault that the city of London was not burnt as in the year 1666,

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This accident produced an address from the commons to the king, for the execution of Pickering the jesuit, and the other condemned priests. 1679.

But the commons stopped not there. The same day they resolved to sit on the morrow, though Sunday, to consider of means for the preservation of the king's person, and the protestant religion, against the attempts of the papists, both in the reign of the present king, and his successors. Accordingly the next morning they first ordered a bill to be brought in to banish all papists, or reputed papists, within London and Westminster, twenty miles from the same, for six months; and then they voted, nemine contradicente, "That the duke of York being a papist, the hopes of his coming such to the crown, has given the greatest countenance and encouragement to the present conspiracies and designs of the papists against the king and the protestant religion." This vote was sent to the lords for their concurrence.<sup>1</sup>

The 25th of April the earl of Danby appeared at the bar of the house of lords, and there produced the king's pardon for all crimes and offences whatsoever committed before the 28th day of February last. After which he was sent back to the Tower. The lords having given notice of this to the commons, they appointed a committee of secrecy to examine the nature of the earl's plea, who made their report, "That there was no precedent, of a pardon granted to any person impeached by the commons of high treason, or other high crimes depending in the impeachment." After this report, the commons desired the lords to demand of the earl of Danby, "Whether he would rely upon, and abide by the plea of his pardon." This was the next day, and the earl praying time to answer, the lords allowed him four days.

The same day, the king returned this answer to the commons address for the execution of Pickering and other priests:

"Gentlemen, I have always been tender in matters of blood, which my subjects have no reason to take exception at: but this is a matter of great weight, I shall therefore consider of it, and return you an answer."

The vote of the commons concerning the duke of York touched the king very sensibly, for he saw, they did not intend to stop there. He therefore went to the parliament the 30th of April, and in a short speech recommended to both

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houses

<sup>1</sup> By William Lord Russell, for which he paid dearly afterwards.

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houses the dispatch of three affairs: 1. The prosecution of the plot. 2. The disbanding of the army. 3. The providing a fleet for the common security. Thert to give them a proof of his care to preserve their religion for the future, he told them, " That he had commanded his chancellor to mention several particulars, which he hoped would be an evidence, that in all things that concerned the publick security, he should not follow their zeal but lead it."

Accordingly, the chancellor made the following speech.

My lords, and you the knights, citizons, and burgeses of the house of commons.

The lord  
chancellor's  
speech.

" **T**HAT royal care which his majesty hath taken for the general quiet and satisfaction of all his subjects, is now more evident by these new and fresh instances of it, which I have in command to open to you. His majesty hath considered with himself, that it is not enough that your religion and liberty is secure during his own reign, but he thinks he owes it to his people to do all that in him lies, that these blessings may be transmitted to your posterity, and so well secured to them, that no succession in after ages may be able to work the least alteration. And therefore his majesty, who hath often said in this place, That he is ready to consent to any laws of this kind, so as the same extend not to alter the descent of the crown in the right line, nor to defeat the succession, hath now commanded this to be further explained.

" And to the end it may never be in the power of any papist, if the crown descend upon him, to make any change either in church or state; I am commanded to tell you, That his majesty is willing, that provision may be made, first to distinguish a popish from a protestant successor; then so to limit and circumscribe the authority of a popish successor, in these cases following, that he may be disabled to do any harm: First, in reference to the church; his majesty is content that care be taken, that all ecclesiastical and spiritual benefices and promotions in gift of the crown, may be conferred in such a manner, that we may be sure the incumbents shall always be of the most pious and learned protestants: and that no popish successor, while he continues so, may have any power to controul such presentments. In reference to the state, and civil part of the government, as it is already provided, That no papist can sit in either house of parlia-

" ment;

ment; so the king is pleased that it be provided too, that there may never want a parliament, when the king shall happen to die, but that the parliament then in being may continue indissoluble for a competent time; or if there be no parliament in being, then the last parliament which was in being before that time, may reassemble and sit a competent time, without any new summons, or elections. And as no papist can by law hold any place of trust, so the king is content that it may be further provided, That no lords or others of the privy council, no judges of the common law, or in chancery, shall at any time, during the reign of any popish successor, be put in or displaced, but by the authority of parliament: and that care also be taken, that none but sincere protestants may be justices of the peace. In reference to the military part, the king is willing, that no lord lieutenant, or deputy lieutenant, nor no officer in the navy, during the reign of any popish successor, be put in, or removed, but either by authority of parliament, or of such persons as the parliament shall intrust with such authority.

"It is hard to invent another restraint to be put upon a popish successor, considering how much the revenue of the successor will depend upon consent of parliament, and how impossible it is to raise money without such consent. But yet, if any thing else can occur to the wisdom of the parliament, which may further secure religion and liberty against a popish successor, without defeating the right of succession itself, his majesty will most readily consent to it. Thus watchful is the king for all your safeties; and if he could think of any thing else, that you do either want or wish to make you happy, he would make it his business to effect it for you. God Almighty long continue this blessed union between the king, and his parliament, and people."

These proposals were not received by the house of commons with that applause, the king had expected. The common distrust was too great for their fears and suspicions to be removed by such offers. Though some authors call this an A reflection upon the king's offers relating to the duke of York's succession. It was an artifice of the court of England, begun in the reign of James I. and continued under Charles I. and II. to represent the laws as the impregnable bulwark of the nation's liberties. And yet these three kings had, on several occasions,

1679. occasions, transgressed them. I shall give here some instances, to which many more might be added. Were the laws enacted for the preservation of religion under James I. punctually executed? Of what benefit could laws made for the security of their liberties be to the subjects, since James I. laid down for principle, that though, in conscience and honour, the king ought to govern his subjects with equity, he might nevertheless by the extent of his power, govern in an absolute manner, without any controul? Did the petition of right restrain Charles I. from levying ship money? Did the laws hinder the same king from governing twelve years without a parliament, and from raising money in that interval by an absolute authority? Had Charles II. been more scrupulous? Was it in virtue of the laws that he shut up the exchequer, and seized the money there without the consent of the proprietors? Was it for the better execution of the laws, which seem to secure the liberties of the subject, that he received annually from France a pension of six millions of livres? Of what use therefore are laws, the execution whereof no human power can warrant, when the interests of the prince and people are diametrically opposite, which could not fail to happen in the reign of a popish successor? This suffices to demonstrate, that the king's offer of his assent to the acts he proposed, was incapable of dispelling the fears of the people, because not only no expedient was proposed to secure the execution, but it was not even in his power to give any security. But it will be asked, what other expedient was there for securing the religion and liberties of the nation, consistent with the right of succession? I confess there was none, and affirm withal, that those offered by the king were insufficient. But to whom was this impossibility owing? To the duke of York alone, who had openly declared himself a papist, and from that time incessantly excited both England and France to promote the interests of his religion; as the letters of his secretary Coleman manifestly show. To enable the reader to judge of this matter, being the most material of this reign, I shall here propose some questions which are necessary to be decided before he can determine in favour of the king or parliament.

Question the first. Whether there was any danger to England in admitting a popish successor?

This the king himself did not deny, since he proposed expedients to prevent the danger?

Second question, Whether the expedients proposed by the king, were capable of preventing the danger?

This

This is what no person can either positively affirm or deny. For if, on one hand, it may be supposed, that a popish successor would have sincerely complied with the acts proposed by the king, it may, on the other hand, with equal justice be supposed, that the duke of York, the immediate successor, considering his principles, his humour, his temper, his zeal for his religion, would never have patiently suffered himself to be restrained by these acts of parliament. But this was a contingency which God alone could foreknow.

Third question. The commons not believing the expedients offered by the king sufficient to prevent the danger, and the king believing the contrary, who was to yield, the king, or the people represented by the commons?

This is what I shall not pretend to decide.

Fourth question. Which evil was greatest, that of breaking the lineal succession in the exclusion of the duke of York, or that of exposing the established religion to ruin?

This question supposes, that the kings of England succeeded by a right purely hereditary. But this supposition is greatly contested. It may at least be affirmed, that several parliaments have decided the contrary<sup>m</sup>. As to the question in itself, it may at least be averred, that in France, in a parallel case, upon the death of Henry III. the interests of the catholick religion were, without hesitation, preferred to those of Henry IV. who was a protestant, and the next heir: but many pretended, that as the French did ill, so the English parliament was to blame to imitate them.

Fifth question. The two evils, namely the breach in the succession, and the exposing of the protestant religion, being supposed perfectly equal, which was to suffer, the rights of the duke, or the religion of the nation?

Some pretend, that the right of succession is not to be violated upon any consideration, and that the interests of religion extend not so far as to authorise such a violation. Others on the contrary maintain, That when things were reduced to such a state, that the duke or the people must suffer, the duke ought to be the sufferer, since it was he who had brought matters to that state.

The reader ought to determine these questions, before he gives a definitive sentence upon this affair.

The day after the king's and the chancellor's speeches to <sup>Kennet.</sup> both houses, the commons, without taking any great notice <sup>Eschard.</sup> of

<sup>m</sup> Particularly an act passed in queen Elizabeth's reign, asserting the power of the parliament to limit the succession of the crown.

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of his majesty's proposals about the succession, proceeded on the bill for preventing the dangers arising from popery, as well in his reign, as his successor's.

They also read the first time a bill "for better prevention of illegal exaction of money from the subject," and ordered another to be brought in, "That when any member of the house was preferred to any office or place of profit, a new writ should immediately issue out for electing a member to serve in his stead."

Judgment demanded against the earl of Danby. Kennet. An address against the duke of Lauderdale. Idem. Echard.

The 3th of May they resolved, "That the pardon pleaded by the earl of Danby was illegal and void," and the speaker, with the whole house, went up to the lords bar, and demanded judgment against him.

Shortly after they drew up an address against the duke of Lauderdale, in the strongest terms that could be used, which was carried in a full body to the king. But it seems the king could not then part with this minister, the last of the cabal, and therefore he coldly answered, "That he would consider of it, and return an answer."

Pickering ordered to execution. May 25. State trials. II. p. 721. Kennet. Echard.

In the mean time, the king sent a message to the commons by the lord Russel, who acquainted the house, "That his majesty commanded him to let the house know, that he was willing to comply with their request concerning Pickering, and that the law should pass upon him accordingly: that as to the condemned priests, the house of peers had sent for them, in order, as his majesty conceived, to some examinations. That he repeated his instances to them for putting the fleet in a good posture, for dispatching the discovery of the plot, the trial of the lords, and the bill for the security of religion."

A money bill passed. Echard.

After this message, the commons finished the money bill for disbanding the army, which the king passed the 9th of May. By this act a supply was granted to the king of two hundred and six thousand, four hundred sixty two pounds, seventeen shillings and three pence, for paying off and disbanding the forces raised since the 29th of September 1677. The act had a clause in it, that for the future, "soldiers should not be quartered in any person's house against their consent."

State trials, t. II. Echard. Baract.

At the same time the lords informed the commons, that the earl of Danby resolved to adhere to the plea of his pardon; and that the commons having demanded judgment against him, as conceiving his pardon illegal and null, the tenth instant was appointed for hearing the earl of Danby to make good his plea. The lords likewise acquainted the

commons, that they had resolved, the five lords in the Tower should be brought to their trials the 14th instant. 1679.

The part of the message concerning the earl of Danby so offended the commons, that they resolved, "That no com-  
 " moner whatsoever should presume to maintain the vali-  
 " dity of the pardon pleaded by the earl of Danby, without  
 " the consent of the house first had, and that the persons so  
 " doing, should be accounted betrayers of the liberties of the  
 " commons of England." This vote was posted up in several places, that no person might be ignorant of it. <sup>A difference betwixt the two houses on the earl of Danby's affair.</sup> The true reason of these proceedings was, that by the examination of the several articles of the earl's impeachment, the commons hoped to discover the king's secret practices with the court of France; whereas the king by his pardon had put the affair in such a state, that there would have been no occasion to examine the earl of Danby's answers to the articles exhibited against him. Burnet.

The vote of the commons much inflamed the differences that were already begun between the two houses, about the manner of proceeding against the five lords in the Tower. For the lords had addressed the king to appoint a lord high steward to preside in the trials; but the commons, thinking it unnecessary, proposed, "That a committee of both houses  
 " might be nominated to consider of the most proper ways  
 " and methods of proceeding upon impeachments." And this is what the lords refused, which occasioned a warm dispute; but at last the lords agreed to the nomination of the committee.

The same day the lords communicated to the house of commons, a petition from the earl of Danby, in which he set forth, "That he met with informations severally from  
 " his council, that he durst not appear to argue the validity  
 " of his pardon, by reason of the vote of the house of  
 " commons." Their lordships therefore desired to know,  
 " Whether there was any such vote as was alledged in the  
 " petition?"

It appears plainly in the proceedings of the commons, <sup>Address of the commons for the raising of the militia. May 10. Kennet. Echard.</sup> that they only sought occasion to drive things to extremity. With this view, they presented an address to the king, taking notice, "That multitudes of jesuits, popish priests,  
 " and popish recusants, resorted to the cities of London and  
 " Westminster, in contempt of his majesty's laws and royal  
 " proclamations. Wherefore they humbly besought his  
 " majesty, that the militia of London, Westminster, South-  
 " wark, the Tower hamlets, of Middlesex and Surry,  
 " might

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A bill  
brought in  
against the  
duke of  
York.  
Burnet.  
Kennet.

“ might immediately be raised, and put in a posture of defence.” The next day, though a Sunday, they ordered a bill to be brought in, (pursuant to their resolve that day fortnight) “ To disable the duke of York to inherit the imperial crown of England.” Immediately after they resolved nemine contradicente, “ That in defence of the king’s person, and the protestant religion, they would stand by his majesty with their lives and fortunes; and that if his majesty should come by any violent death, they would revenge it to the utmost upon the papists.” This was soon after put into the form of an address, and presented to the king, who thanked them, and said, “ That he would do what in him lay to secure the protestant religion, and was willing to do all such things as might be to the good and benefit of his subjects.”

An address  
to the king.  
His answer.  
Echard.

Kennet.

In the mean time, he sent them a message the 14th of May, to remind them of what he had said concerning the fleet; but the consideration of this message, was adjourned till the next monday seven-night.

A difference  
between the  
two houses  
relating to  
the bishops.  
Burnet.  
Kennet.

The committee of both houses meeting to consider of the way and method of trying the impeached lords, there was a warm dispute between the two houses, concerning the bishops; the commons pretending, that the bishops could not sit upon the trial of the impeached lords, because it was a case of blood. The peers on the other hand maintained, “ That the lords spiritual have a right to stay and sit in court, till the court proceed to the vote of guilty, or not guilty.” This affair made a great noise, and occasioned several books to be writ on both sides.

At

n This bill was ordered to be drawn up by Mr. Bennet, Mr. Trenchard, sir Nicholas Carew, sir Robert Peyton, sir Thomas Player, mr. Vaughan, sir Francis Winnington, mr. Boscawen, mr. Williams, mr. Hampden, colonel Birch, mr. Sacheverell, and Mr. Swinfen. Echard, tom. III. p. 546.

o The lords Nottingham and Roberts argued for the bishops voting. But the lords Eliex, Shaftsbury, and Holles were against it. Upon a debate it was carried by the majority that the bishops had a right to vote. Whereupon the commons declared they would not proceed, unless the bishops were obliged to withdraw during the whole trial. Upon

this breach the parliament was prorogued, and soon after dissolved. And the blame was cast chiefly on the bishops. It seems they desired to withdraw, but the king would not suffer it. He was so set on maintaining the pardon, that he would not venture such a point on the votes of the temporal lords. He told the bishops they must stick to him and his prerogative, as they would expect that he should stick to them if they came to be pushed at. By this means they were exposed to the popular fury, and every where censured as a set of men that, for their own ends, would expose the nation and protestant religion to ruin. And in revenge

may

At last, on the 15th of May, the commons read the first time their bill, "to disable the duke of York from inheriting the imperial crown of England," now called the "exclusion bill." After the particulars of the conspiracy against the king, the established government, and the protestant religion, the bill set forth:

"That the emissaries, priests, and agents for the pope, had traiterously seduced James duke of York, presumptive heir to these crowns, to the communion of the church of Rome; and had induced him to enter into several negotiations with the pope, his cardinals, and Nuncios, for promoting the Romish church and interests: and by his means and procurement had advanced the power and greatness of the French king to the manifest hazard of these kingdoms, that by descent of these crowns upon a papist, and by foreign alliance and assistance, they might be able to succeed in their wicked and villainous designs."—Then after another preamble, it was enacted to this effect:

"1. That the said James duke of York, Albany, and Ulster, should be incapable of inheriting the said crowns of England, Scotland, and Ireland, with their dependencies; and of enjoying any of the titles, rights, prerogatives, and revenues, belonging to the said crowns. 2. That in case his majesty should happen to die, or resign his dominions, they should devolve to the person next in succession, in the same manner as if the said duke were dead. 3. That all acts of sovereignty and royalty that prince might then happen to perform, were not only declared

many began to declare openly in favour of the non-conformists, who upon this behaved very indecently, and fell very severely on the body of the clergy. On the other hand, the bishops and clergy set themselves to write against the late times, and to draw a parallel between them and the present times: which was not managed decently enough by those who undertook the argument, and who were believed to be set on and paid by the court. Particularly sir Roger l'Estrange for four years published three or four sheets a week under the title of the *Observer*, all tending to defame the contrary party, and make the clergy apprehend their ruin was designed. Upon this the greatest part of the clergy delivered themselves up to

much heat and indiscretion, which was vented both in their pulpits and common conversation. They seemed now to lay down all fears of popery; and nothing was so common in their mouths as the year forty one, which, as they hinted, was near being acted over again. Both city and country were full of many indecencies that broke out on this occasion. Among the worthy and eminent men, whose labours did in great measure rescue the church from those reproaches, that the follies of others drew upon her, were Tillotson, Tennison, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Claget, Cudworth, the two Mores, Williams, &c. Burnet, p. 460, 462.

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“ declared void, but to be high treason, and punishable  
 “ as such. 4. That if any one, at any time whatsoever,  
 “ should endeavour to bring the said duke into any of the  
 “ formentioned dominions, or correspond with him, in or-  
 “ der to make him inherit, he should be guilty of high trea-  
 “ son. 5. That if the duke himself ever returned into any  
 “ of these dominions, considering the mischiefs that must  
 “ ensue, he should be looked upon as guilty of the same  
 “ offence; and all persons were authorized and required to  
 “ seize upon and imprison him, and in case of resistance  
 “ made by him and his adherents, to subdue them by force  
 “ of arms.”

The bill  
 read a se-  
 cond time.

An enquiry  
 into the  
 members  
 of the last  
 parliament.  
 Echard,  
 III. p. 548.

Five days after, this bill was read a second time, upon which the question being put, whether the bill should be committed, it was carried by a majority of seventy-nine<sup>r</sup>.

This affair being begun, the commons proceeded to an enquiry after the pensioners in the last parliament. By means of sir Stephen Fox, eighteen were discovered who had received annual pensions from the king, two of one thousand pounds<sup>s</sup>, six of five hundred pounds<sup>s</sup>, two of four hundred pounds<sup>s</sup>, four of three hundred pounds<sup>s</sup>, four of two hundred pounds<sup>s</sup>. Besides, there were six others who had received certain sums at one time: three more were brought in for sums received upon account; and five for uncertain sums. Though this number appears not very considerable, it is so however, if it is considered, that in the house of commons, there are members, who are so able, and of such credit, that they dispose of several votes besides their own, some more, some less, and that thirty members who receive pensions, may have it in their power, upon many occasions, to turn the resolutions of the house in favour of the court.

The parlia-  
 ment pro-  
 rogued.  
 Kennet.  
 Echard.  
 Temple's  
 mem.

In the mean time, the king being highly offended with the commons, and hearing moreover, that they intended to present to him a remonstrance, much like that presented to the king his father in 1641, and of which the design was to inflame the nation against him, resolved to prorogue the parliament.

p. Yeaz 207. Noes 128.

q Sir Courtney Pool and sir Job Charlton.

r Sir Jonathan Trelawny, Robert Roberts, sir James Smith, sir Philip Howard, sir Richard Wiseman, and Randolph Egerton.

s Sir Charles Wheeler, and Thomas

Price.

t Sir John Barnaby, sir Lionel Wal-  
 den, Daniel Collingwood, and Robert Phillips.

u Colonel King, mr. Westphal,  
 Humphrey Cornwal, and mr. Knolls.  
 Echard, tom. III. p. 548.

parliament. For this purpose he went to the house of lords the 27th of May, and sending for the commons, passed some bills, and particularly one for securing the liberty of the subject, called the Habeas Corpus act, and then prorogued the parliament to the 14th of August. By this the exclusion bill was defeated for a time. 1679.

The news of the proceedings of the English parliament had so raised the hopes of the Scotch malecontents, that they thought the time was come to be revenged of their persecutors. Sharp, archbishop of St. Andrews, was the most hated of their enemies. If doctor Burnet, in the history of his own times, is to be credited, Sharp had abundantly merited the hatred of the presbyterians. For pretending an extraordinary zeal for their party, he had prevailed to be deputed to London after the restoration, to take care of their interests, but had basely betrayed them. This raised him to the archbishoprick of St. Andrews, and from that time he became their most violent persecutor. Whether Burnet's account of Sharp be exactly true, or aggravated, it is however not to be denied, that the Scotch presbyterians were extremely incensed against Sharp, and considered him as a betrayer. Wherefore in this juncture, when they expected great alterations, twelve of them resolved to begin their revenge upon their enemies with the archbishop. For this purpose they waited for him about two miles from St. Andrews, where he was going in a coach and six, and most inhumanly and barbarously murdered him, calling him, "apostate, betrayer of the godly, and persecutor of Christ's church." This murder was committed the 2d of May. In the end of the same month, eighty presbyterians appeared in arms, and in a few days their number increased to fifteen hundred. They seized Glasgow, and some other towns in the neighbourhood, and committed great outrages.

The barbarous murder of the archbishop of St. Andrews. Burnet. Echard.

An insurrection in Scotland. June 1. Burnet. Echard.

The

Though Rapin names Burnet, he follows Echard's account of this murder, which is very different from the bishop's. Burnet says, as a party of furious men were riding through a moor near St. Andrew's [without any design then upon Sharp] they saw the archbishop's coach appear. He was coming from a council day, and was driving home, having sent some of his servants before to let them know he was coming, and others he had sent

off on compliments; so that there were no horsemen about the coach. They, seeing this, concluded according to their frantic enthusiastick notions, that God had now delivered up their greatest enemy into their hands. Seven of them made up to the coach, and one fired a pistol at him, which burnt his coat and gown, but did not touch his body. Upon this they drew him out of his coach, and murdered him barbarously, p. 471.

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Suppressed  
by the duke  
of Mon-  
mouth.  
Echard.

The king hearing of this rebellion, and that it daily gathered strength, sent the duke of Monmouth at the head of some English forces, who were joined by some Scotch regiments. The duke discharged his commission with such bravery and success, that the 22d of June he entirely defeated the rebels at Bothwell bridge, killed eight hundred, and took about twelve hundred prisoners. Several were hanged, and the rest were transported.

The trial of  
five jesuits.  
Barnet.

Shortly after the prorogation of the parliament, the five jesuits, Whitebread, Harcourt, Fenwick, Gawen, and Turner, were tried. The 13th of June they were brought to the Old Baily, where their indictment was read, and the witnesses heard.

Oates's de-  
position.  
State trials,  
t. II. p. 831.

Oates's evidence was. "1. That the great consult of the 24th of April 1678, was by order of Whitebread the provincial, and that he, Fenwick, Harcourt, and Turner, did all in his presence sign the resolve for the king's death. 2. That Whitebread, after his return to St. Omer's, did say, He hoped to see the black fool's head at Whitehall, laid fast enough; and if his brother should appear to follow his footsteps, his passport should be made too.

"3. That in July, Ashby a priest, brought over instructions from Whitebread, to offer sir George Wakeman ten thousand pounds to poison the king; and also a commission to sir John Gage to be an officer in the army they designed to raise, which the witness delivered to sir John.

p. 831, 832.

"4. As for Gawen, though he could not positively say, he saw him at the consult, yet he saw his hand subscribed to the resolve: and that in July 1678, he gave them in London, an account how prosperous their affairs were in Staffordshire and Shropshire; that the lord Stafford was very diligent, and that there was two or three thousand pounds ready there to carry on the design; all which he afterwards heard him declare in father Ireland's chamber."

Dugdale's  
depositions.  
Id. p. 836.

Stephen Dugdale, a new witness, deposed, "1. Against Whitebread, that he saw a letter under his hand to father Evers a jesuit, and confessor to the witness; in which he ordered him to be sure to chuse men that were hardy and trusty, no matter whether they were gentlemen: and he swore what they were to do; that the words under his hand were in express terms,——For killing the king.

"2. A.

" 2. Against Gawen he swore, that he entertained the witness to be of the conspiracy to murder the king, as one of the resolute fellows described by Whitebread: and for that end they had several consultations in the country; as at Boscobel, and at Tixall in September 1678. And he heard them talk in one of those consultations, that it was the opinion of the monks at Paris, who were to assist in the conspiracy, That as soon as the deed was done, they should lay it on the presbyterians, and so provoke the other protestants to cut their throats. That he had intercepted and read above a hundred letters to the same purpose, to be delivered by private marks known to father Evers.

" 3. That the witness himself was so zealous in the cause, that he had given them four hundred pounds for carrying on the design, which Gawen had made him believe was not only lawful, but meritorious; and that he was to be sent up to London by Harcourt, there to be instructed about killing the king.

" 4. That the same Harcourt did write word to father Evers, of sir Edmundbury Godfrey's being dispatched, that very night it was done; so that they knew of it in Staffordshire several days before it was commonly known in London<sup>2</sup>. And to confirm this testimony, he produced mr. Chetwin, a gentleman, who swore, he did hear it reported as from mr. Dugdale; and that he was not in town when the murderers of sir Edmundbury Godfrey were tried, or else he then would have witnessed the same.

5. Against Turner he swore, " 1. That he saw him with others, at Evers's chamber; where they consulted together to carry on this design, of bringing in popery by killing the king." p. 840.

Prance deposed, " 1. That Harcourt one day paying him for an image of the Virgin Mary, told him, there was a design of killing the king: 2. And that Fenwick told him in Ireland's chamber, that there should be fifty thousand men in arms, in a readiness to settle their religion, and that they should be commanded by the lords Bellasis, Powis, and Arundel of Warder." Prance's deposition. Ibid.

M m 2

Bedloe

<sup>2</sup> Harcourt's letter was received the Monday next after the Saturday, on which the murder was committed;

that is, three days before the body was found. State trials, tom. II. p. 838.

1679.  
Bedloe's de-  
position.  
p. 841.

Bedloe deposed, " 1. That he had seen Whitebread and Fenwick at several consults about the plot; and that he had heard Whitebread at Harcourt's chamber, tell Coleman, the manner of sending the four ruffians to Wind-  
" for to kill the king.

" 2. That he saw Harcourt take out of a cabinet about fourscore or a hundred pounds, to give to a messenger; to be carried to the said ruffians, with a guinea to the messenger, to drink mr. Coleman's health:

" 3. That Whitebread told him, that Pickering was to have a great number of masses, and Grove fifteen hundred pounds for killing the king.

p. 842.

" 4. That Harcourt employed him three several times to carry their consults beyond the seas; and that in Harcourt's presence, he received Coleman's thanks for his fidelity, and that Harcourt recommended him to the lord Arundel, who promised him great favour when the times were turned: also that he saw Harcourt give Wakeman a bill to receive two thousand pounds, in part of a greater sum; and heard sir George say, fifteen thousand pounds was a small reward for the settling of religion, and preserving the three kingdoms from ruin."

p. 843.

A letter  
produced.  
Ibid.

Besides the evidences, there was a letter found amongst Harcourt's papers, from one Petre a jesuit, which named a meeting designed on the 24th of April 1678. This letter served to fortify Oates's evidence of the grand consult: But this was explained by the prisoners to signify a triennial meeting about the choice of a procurator to be sent to Rome, though not to the full satisfaction of the court, which looked upon it as an evasion.

The prisoners de-  
fence.  
p. 835.

The defence made by the prisoners was various and long. Besides their frequent asseverations and protestations of their innocence, and their ignorance of any designs against the king, they much argued against the witnesses, insisting: " That to the making of a credible witness, there must be integrity of life, truth of testimony, and probability of matter; but the witnesses against them, Oates, Bedloe, Prance, and Dugdale, were men of desperate fortunes,  
" and

y Gawen made this solemn protestation; " I do as truly believe there is a God, an heaven, and a hell, as any one here does: as I hope for salvation, as I hope to see God in heaven, " I never saw mr. Oates before the

" day in January, when he says, I had the perriwig on, and he did not know me: and as for July, I call God to witness, I never saw him then. State trials, tom. II. p. 835.

"and flagitious persons, and that false swearing was their livelihood." 1679.

I cannot forbear remarking here by the way, that if this maxim, "That to make a credible witness, there must be integrity of life," was received without restriction, it would be almost impossible to prove such plots as this, because commonly, only villains engage in them, and they are discovered by accomplices. A remark.

"They alledged particularly the great improbability of <sup>Ibid.</sup> trusting Oates with secrets of the highest importance, when he was turned away from St. Omer's for his mis-demeanours and immoralities, which were so great, that he was denied the sacrament. They charged him with contradictions, with relation to his former evidences."

These contradictions consisted, in that Oates had said before the council, that he knew no more, and yet added many things afterwards. I shall not repeat here what I have said elsewhere.

They produced about sixteen witnesses to prove, "that <sup>State trials, t. II. p. 846.</sup> Oates had been all April, May, and till the latter end of June 1678, at St. Omer's; and that they saw him every day, and converted and dined with him, and that he was never out of the college, except two days and one night he was at Watton, and two or three he was in the infirmary, &c. and consequently he could not be at the consult of the 24th of April."

And further they proved, "That sir John Warner, and <sup>Ibid. p. 854.</sup> sir Thomas Preston, whom Oates had sworn to come <sup>p. 859, 863.</sup> over with him to the consult, were all that time beyond the seas, one at Watton, the other at Liege.

And moreover to show that Oates was not a man to be credited, they produced eleven witnesses to prove, "That <sup>p. 859, 862.</sup> father Ireland, who was executed, was not at London, and made it appear directly contrary to what he had sworn upon his trial." They added, "that if the evidence of their side should be rejected because they were Roman catholics, all commerce with several countries would be destroyed."

The chief justice replied, that they had no room to <sup>Ibid.</sup> complain of the witnesses being rejected by the court, since, on the contrary, their depositions were received without any scruple, and that it belonged to the jury to determine upon their evidence, as they saw cause.

In answer to these accusations, Oates alledged, "That <sup>p. 854, &c.</sup> his coming to London to the consult was very private;

1679. "der the notion of pilgrims from St. Jago, who were to  
 " take shipping at the Groyn, and to land at Milford haven,  
 " and there to join with the lord Powis."

p. 887. Mr. Langhorn in his defence, besides the solemn protestations of his innocence, alledged, " That Oates and Bedloe, the witnesses against him, were parties in the crime, " and desired to know, whether they had their pardons." Upon understanding that Bedloe had three, and Oates had two under the broad seal; he insisted, " That they were " still approvers in the eyes of the law, and therefore not " to be heard; and desired to know, if they expected any " rewards for their discoveries." Oates replied upon oath, " That he had been rewarded by expending six or seven " hundred pounds out of his own pocket, without knowing " if he should ever see it again." Langhorn then alledged, " He had heard Bedloe had received five hundred pounds;" but he was answered, " That that was for the discovery of " sir Edmundbury Godfrey's murder, and not for the plot." And Bedloe swore, " That he was so far from having any " benefit for that discovery, that he was seven hundred " pounds out of pocket." When the prisoner insisted upon the improbability of their assertions, by reason of their great necessities and poverty, when they first made their discoveries, he was told, " That such enquiries were foreign to the matter in hand." And so he proceeded to prove Oates to be perjured, with respect to the consult in April 24, and to the business of father Ireland, by the same witnesses that had been used by the five jesuits the day before. Whereupon the chief justice told him, that a witness could not be rejected as perjured, unless he was declared so upon a trial, and therefore his allegation could not be of any service to him.

p. 894. As Oates had formerly sworn, that he lay at Grove's house about the time of the consult, he brought mrs. Grove to testify, that he never was there about that time; which was confirmed by her maid; and both affirmed, that the house was taken up, and that there was no room to lodge him. The court thereupon said, that being disguised he might lodge there without being known.

p. 895. While this trial was depending, Roger Palmer earl of Castlemain came into the hall, and told the judges, that the mob used violence to the witnesses who had deposed in favour of the prisoners, and that they were in danger of their lives; upon this the court ordered immediate enquiry to be made

made after the authors of these violences, in order to punish them according to their desert. 1679.

In conclusion, the jury brought in Langhorn guilty, and he received sentence, together with the five jesuits, who had been tried the day before. Langhorn is condemned.

On the 20th of june, the five jesuits were executed, protesting their innocence. Whitebread in particular, declared, "That he renounced from his heart all manner of absolutions, dispensations for swearing, &c. which some had been pleased to lay to the jesuits charge, thinking them unjustifiable, and unlawful." Langhorn was reprieved for a month<sup>2</sup>. He was executed the 14th of July, and died, protesting his innocence of the crimes for which he was condemned. It was the wonder of many, that so able a lawyer, if he was innocent, had made so weak a defence. The jesuits executed without making any confession. State trials, t. II. p. 908, 913.

As the death of these five jesuits, and of the three before executed, made a great noise; and as to this day they are believed innocent by some, and guilty by others, I cannot forbear to make a few reflections upon this subject, to assist the reader to judge impartially.

1. The truth will never be discovered, if men suffer themselves to be swayed by religious prejudices. If we believe an accused person guilty, because he is a papist or jesuit, or if for the same reason we believe him innocent, all examination is vain. The prejudiced person always finds reason and justice in one or other of these two opinions, and therefore he must, if possible, divest himself of his prejudices. A reflection upon these trials.

2. The condemned jesuits were accused of three things; of a design to kill the king; to subvert the government; to root out the protestant religion. And yet, most of the evidences against them ran only upon the first of these three articles, the two others being supposed. It is nevertheless upon this supposition, that the accusation of designing to kill the king is built, because it is pretended, that the aim of the conspirators was to place the duke of York on the throne, as more proper to advance their designs than the king his brother. But this pretension is not proved, nor does it appear in the evidences produced against them, that this was their aim.

3. But

<sup>2</sup> In hopes of his making some discovery. He offered to declare what estates and stock the jesuits had in

England; but protested he could make no other discovery. Burnet, p. 466.

1679.

3. But on the other hand, it can hardly be denied, that throughout this whole reign, there was a settled design to render the king absolute, and introduce the popish religion. This must be the meaning of these expressions, "To subvert the government, and destroy the protestant religion." This being supposed, it is not improbable, that the papists and jesuits might believe, that their project would be sooner executed if the king was removed, and the duke of York placed on the throne.

4. It is therefore upon this probability, that the jesuits have been accused of projecting to kill the king. It is supposed, that being concerned in the general design, or the plot, they believed the king's death a proper means to hasten the execution, and here the witnesses were very positive.

5. The defences of the prisoners consisted chiefly, 1. In asseverations and protestations of their innocence. 2. In the depositions of the witnesses from St. Omer's, and Staffordshire, who proved, that Oates was not at London the 24th of April 1678. 3. In the improbabilities in the evidence given by Oates and Bedloe. Upon these three heads I propose to make some reflections.

1. The protestations and asseverations of the accused during their trial are not to be regarded. But when they are carried to the point of death, they ought to be considered. If they are not a positive proof, they form at least a presumption, because papists are not less convinced than protestants, that lying is not the way to escape the just judgment of God, before whom they are shortly to appear; and that, besides, these protestations never prevail for a reversal of the sentence. I am aware that the jesuits are accused of approving equivocations and mental reservations. But, without examining how far this charge may be proved, it is certain, that father Whitebread, upon the ladder, testified an abhorrence of this doctrine, and renounced all pardons and dispensations from the pope, or any other power, for swearing or speaking against the truth<sup>a</sup>. It is not therefore impossible, that without there was passion or prejudice

<sup>a</sup> Rapin seems not to have taken notice of a passage in Burnet on this occasion. One Serjeant, a secular priest, a zealous papist in his way, some months after these executions, appeared before the council upon security given him, and averred, that

Gawen the jesuit, who died protesting he had never thought it lawful to murder kings, but had always detested it; had, at his last being in Flanders, said to a very devout person, from whom Serjeant had it, that he thought the queen might lawfully take away the king's

judice in the judges and juries, the jesuits, though innocent, would have been condemned upon false evidence. Accordingly, this is what many pretend: but there are others who carry the thing further, and maintain, that the accused might have been acquitted, if the passion and prejudice of the judges and juries had not prevented it. This we shall examine in the next article.

2. I have elsewhere spoken of the defence, founded upon the proof of the alibi, which obliges the judge to render justice by chance, since, there being a direct contrariety between the evidence, the judges cannot be satisfied on which side the truth lies. Oates deposed, that he had assisted at the grand consult in London, April 1678. He produced seven witnesses, who affirmed, that they saw him in London at that time. The jesuits on their side produced sixteen witnesses, who affirmed, that Oates was at St. Omer's at the same time. It must be therefore, either that Oates and his witnesses, or those of the jesuits, were false. Now, that which probably determined the jury to bring in the jesuits guilty was: first, the prisoners objected only a bare denial to the testimonies of France, Dugdale, and Bedloe, which could not but breed a disadvantageous prejudice against them. Secondly, the witnesses from St. Omer's were all scholars, or persons depending upon the jesuits college, another consideration capable to prepossess the jury. Lastly, the question was to examine a plot contrived by papists, as such, and in favour of their religion, and not as private persons, incited by other passions. In this case, it is not very strange, that the evidences given by papists appeared suspicious. For it is certain, at that time, the opinion, supported by the votes of two several parliaments, that there was a real plot to subvert the protestant religion, was generally embraced throughout the whole kingdom.

As to the superiority of sixteen witnesses against seven, this could occasion no difficulty. For seven witnesses dispersed in London, who had only accidentally seen Oates, were as credible as the sixteen shut up in one house at St. Omer's<sup>b</sup>. And though there had been but two from St. Omer's, yet, all other circumstances being equal, they would

king's life for the injuries he had done her, but much more because he was a heretick. Upon that Serjeant ran out into many particulars, to show how little credit was due to the protestants made by the jesuits, even at their death, p. 466.  
<sup>b</sup> See note above, concerning the Dominican friar.

1679. would have been as credible as the seven witnesses of London.

3. I proceed now to the improbabilities in the depositions of Oates and Bedloe. First, it is difficult to conceive the necessity of resolving the king's death in an assembly of fifty jesuits. Secondly, it may with reason be supposed, that an affair of such importance as the assassination of a king, passes through the hands of those only who are most distinguished in the society, either by their posts or capacity. But it is hardly credible, that fifty such could be found in England or at St. Omer's. Thirdly, I know not that any person, to this day, has positively affirmed that Oates was a jesuit. And yet he not only appears in the grand consult of the 24th of April, but has an office in it of great trust and importance, namely, to carry the resolution of killing the king, to the several companies into which the assembly was divided. Fourthly, it is not said, at what time Oates turned papist; but it is only seen, he was first employed in 1677, to carry letters to Spain. He returned about the end of the same year, and shortly after was sent to St. Omer's, where he continued but three or four months. Now it is not probable, that this short stay at St. Omer's could have acquired him the confidence of the heads of the society, to such a degree, as to be sent to London to assist in a grand consult, where the king's murder was to be resolved. Fifthly, why was Bedloe to be admitted into so great a secret, he who was to have no share in the execution? And yet he speaks of it as a thing with which he was perfectly acquainted, not only from letters which he might have opened, but it appears even by his depositions, that the heads of the conspiracy, Ireland, Whitebread, Harcourt, Coleman, Langhorn, used no caution with him; from whence it may be inferred, that they themselves imparted to him the secret. He is at Harcourt's chamber, when the money is ordered for the four Irishmen who were to kill the king. He is at the same chamber when the queen's physician receives a note of two thousand pounds sterling, without any apparent necessity of his presence in an affair of that nature. Sixthly, Oates and Bedloe were men of mean birth, who had been only employed as letter carriers. They were besides little distinguished for their capacity, or talents, and yet they are admitted into all the most important secrets of the plot. Lastly, it appears in the depositions of Oates and Bedloe, that the conspirators talked together, and writ to one another, concerning the king's murder, as if it

had been but a trifle, and without even taking the usual precautions on such occasions, of disguising their thoughts in ambiguous expressions.

These are improbabilities which give but too much occasion to suspect the credit of these two witnesses. It will perhaps be said, that a thing is not false because it is improbable; and that God sometimes permits the most wary villains to ruin themselves by a too great confidence in others. This may be, and it may also be, that this was not the present case. At least it may be affirmed, that the jests are not wont to proceed with so little caution.

These are the improbabilities that have induced many people, though persuaded of the reality of the plot, as far as it concerned the government and religion, to suspend their judgment with regard to the king's murder. The same improbabilities likewise have furnished others with a pretence for denying the whole plot, because they are pleased to confine it to that single article, in which they impose upon themselves, or else are desirous to impose upon their readers.

The 10th of July the king, contrary to the advice of <sup>The king</sup> his new council, which he seemed to have resolved to follow with an entire deference, <sup>dissolves the</sup> dissolved the parliament, and <sup>parliament.</sup> summoned another to meet the 17th of October. He hoped <sup>Kennet.</sup> to find the next more tractable, but was very much deceived. The people, who no longer regarded what came from the court, affected to send such members as were of the country party, as being the most proper to oppose the designs of the king. The earl of Shaftsbury was at the head of this party, and without doubt greatly contributed to inflame the passions of the people. But it is perhaps saying too much, to charge this lord with all the king's late mortifications. If it could be proved, that the king had never given any occasion of discontent to his people, we should be obliged to recur to some extraordinary cause of the parliament's ill humour, as the intrigues, cabals, and artifices of some powerful and popular person. But what need is there to seek for an extraordinary cause, when one so naturally offers in the whole conduct of the king, who had hitherto shown, that his interests and those of his people were intirely different?

The 18th of June, sir George Wakeman the queen's physician was brought to his trial, together with James Corker, <sup>Sir George</sup> William Marshal, two Benedictine monks, and William <sup>Wakeman</sup> Rumley, a lay brother of that order. Oates and Bedloe <sup>and others</sup> were <sup>tried.</sup> <sup>State trials,</sup> <sup>t. II.</sup> <sup>were</sup> <sup>Burnet.</sup>

1679. were the witnesses against them: but, besides that their depositions were imperfect, and the greatest part upon hearsay, and could pass for proofs only on the supposition of the design to poison the king, which was not well proved, the jury doubtless considered, that a person of sir George Wakeman's sense, would never trust such a secret to Bedloe, whom he scarce knew. Nay, he swore that he never saw Bedloe before in his life. However this be, the prisoners were acquitted, to the great mortification of the two witnesses, since it was easy to see, that Oates and Bedloe were evidences capable of swearing to things of which they had no perfect knowledge<sup>c</sup>.

and acquitted.

The king's sickness.  
Kennet.  
Echard.  
Temple.  
Burnet.

The duke of York returns.

The duke of Monmouth and Shaftsbury in disgrace.  
Kennet.  
Echard.

About the end of August, the king being at Windsor, was seized with three violent fits of an intermitting fever, which gave great apprehension. The earl of Essex and the lord Halifax, two of the four counsellors which then managed the king's affairs, fearing, if the king died, to fall into the hands of the duke of Monmouth and the earl of Shaftsbury, advised the king to send for the duke of York, which was done with all possible speed and secrecy; for the duke was at Windsor the 2d of September. But the king, being then out of danger, pretended a surprize at his arrival. But this dissimulation was not capable to deceive the duke of Monmouth and the earl of Shaftsbury. On the other hand, the earl of Essex and the lord Halifax, finding that they had made Monmouth and Shaftsbury their irreconcilable enemies, joined with the duke of York for their destruction. They succeeded so well, that the king removed the duke of Monmouth from his post of captain general, and sent him into Holland, to the great surprize of the whole court, for the duke of Monmouth was in the height of the king's favour before the duke of York's arrival<sup>d</sup>. Shortly after, Shaftsbury also was turned out from being president of the council<sup>e</sup>. Thus the court had a new face, and the duke of York was more powerful

c. The lord chief justice Scroggs, who had been very violent against the prisoners hitherto, was observed, far contrary to his former practice, to turn against the witnesses in this trial. The Portugal ambassador went next day with great state to thank Scroggs for his behaviour in Wakeman's trial. By which the chief justice was exposed to much censure. This was looked on, it seems, as the queen's trial as well as Wakeman's. For Oates and Bedloe

had both deposed, that she was to assist him in poisoning the king. Burnet p. 468.

d In his room Christopher Monk, duke of Albemarle, was made captain of the life guards of horse, and John Sheffield earl of Mulgrave, governor of Hull, &c. Kennet, p. 368.

e He had called a council just before, while the king was at New market, and represented to them the danger the king was in, by the duke's being so

near

ful than ever. He improved this happy juncture to obtain the king's leave to retire to Scotland, representing to him the danger of his being in the Low Countries, in case of his majesty's death. Accordingly, he returned to Brussels, to bring home his duchess and the princess Anne, and arriving shortly after at London, departed for Scotland. If dr. Burnet is believed in the history of his own times, he governed Scotland in an arbitrary manner, and gave manifest tokens of his cruelty and inveterate hatred to the presbyterians.

1679.

October 7.

The duke of York goes for Scotland  
October 27.  
Kennet.

Burnet.  
The king contrary to the advice of his council, prorogues the parliament.  
Temple's mem.  
Echard.

Every one impatiently expected, where would end the late alterations at court, and it was not long before it appeared. The 15th of October, the king summoning his council, after a little pause, told them, "That upon many considerations, which he could not at present acquaint them with, he found it necessary to make a longer prorogation of the parliament than he intended: that he had considered all the consequences so far as to be absolutely resolved, and not to hear any thing that should be said against it: that he would have the meeting put off, till that time twelve month." The counsellors, surprized at this resolution, and still more at the manner of proposing it, were most of them silent. Some, however, offering to represent to the king the dangerous consequences of this resolution, were enjoined silence. But sir William Temple, more bold than the rest, stood up, and with great freedom told his majesty, "That as to the resolution he had taken, he would say nothing, because he was resolved to hear no reasoning upon it; therefore, he would only presume to offer him his humble advice as to the course of his future proceedings; which was, that his majesty in his affairs would please to make use of some council or other, and allow freedom to their debates and advices; after hearing which, his majesty might yet resolve as he pleased. That if he did not think the persons or number of this present council suited with his affairs, it was in his power to dissolve them, and constitute another of any number he pleased, and to alter them again when he would: But, to make counsellors that should not counsel, he doubted whether it was in his majesty's power or not, because it implied a contradiction: and so far as he had observed, either of

"former

near him, and pressed the council to represent this to the king; but they did not agree to it. And upon the king's coming to London, he was re-

moved, and lord Roberts, then made earl of Radnor, was made president. Burnet, p. 477.

1679.

“ former ages, or the present, he questioned, whether it was  
 “ a thing ever practised in England by his majesty’s pre-  
 “ decessors, or were so now by any of the present princes  
 “ in christendom : therefore he humbly advised him to con-  
 “ stitute some such council, as he would think fit to make  
 “ use of, in the direction of his great and publick affairs.”

Changes in  
the council.  
Kennet.  
Echard.

This proceeding caused several counsellors to surrender their commissions to the king, and others to absent themselves from the council<sup>f</sup>, not thinking proper to encourage by their presence the king’s secret resolutions, and give occasion to believe, they approved them. The earl of Essex resigned his place of first commissioner of the treasury. The lord Hallifax, Sir William Temple, and some others, retired into the country. Thus the council which the king had appointed to amuse the people, was almost dissolved, and the direction of the publick affairs remained in the hands of the earl of Sunderland, mr. Laurence Hyde, and mr. Sidney Godolphin<sup>g</sup>, or rather the duke of York, whose interests they had embraced ; and who, though absent, directed their resolutions.

A plot con-  
trived.  
Danger-  
field’s  
narrat.  
Burnet,  
p. 475.

In the latter end of October, about a fortnight after the prorogation of the parliament, a sham plot was discovered, contrived by the papists to bring an odium upon the presbyterians and the heads of the country party. This project had been formed the beginning of August, by the countess of Powis, Elizabeth Cellier a midwife, the earl of Castlemain, and the five lords in the Tower. The design was to make use of false witnesses to accuse Oates of perjury and sodomy ; to assassinate the earl of Shaftsbury ; and to charge the duke of Buckingham, the earl of Essex, the duke of Monmouth, the lord Hallifax, and several considerable citizens of London, with being concerned in a plot against the king. One Dangerfield was to be the principal actor in this scene<sup>h</sup>. He received his instructions from the lady Powis, and the lords in the Tower, with a list of the persons whom he was to accuse<sup>i</sup>. Moreover,

Dangerfield  
the chief  
actor in it.

<sup>f</sup> Namely, the lord Russel, the lord Cavendish, sir Henry Capel, and mr. Powle. Kennet, p. 368.

<sup>g</sup> This last, and Daniel Finch, Esq; first commissioner of the admiralty, were sworn privy counsellors, February 4. Ibid.

<sup>h</sup> Burnet gives him this character : “ That he was a subtle and dexterous man, who had gone through all the shapes and practices of roguery, and

“ in particular, was a false coiner. “ He was in jail for debt, and was in “ an ill intrigue with one Cellier a “ popish midwife, who had a great “ share of wit, and was abandoned to “ lewdness, p. 475.

<sup>i</sup> They were, the lords Grey, and Howard of Escrick, the duke of Monmouth and Buckingham, sir William Waller, colonel Blood, &c. Dangerfield’s narrative, p. 35.

ver; the lady Powis gave him a model of the plot, which he was to convey into the house of some pretended conspirator, and there cause it to be found. 1679.

Dangerfield furnished with these instructions and papers, informed the duke of York of it, after his arrival from Brussels. The duke of York made him a present of twenty guineas, and introduced him to the king, who, after hearing him, gave him forty more. Then he made some attempts to assassinate the earl of Shaftsbury, but was prevented by several accidents. At last, on pretence of seeing some rooms, which he said he intended to hire, he went to colonel Mansel's lodgings<sup>k</sup>, and found means to pin some dangerous papers behind his bed's head. This done, he informed two officers of the custom-house, that there were in those lodgings, prohibited goods to the value of two thousand pounds. The officers repairing thither the 22d of October, searched every where in hopes of finding their prey; but as they did not think to search behind the bed, Dangerfield himself found the papers. The officers carrying these papers to their superiors, had orders to return them to Mansel. Four or five days after, the colonel meeting Dangerfield in the street, carried him directly to Whitehall, and brought him before the king and council. He was strictly examined, and, after a full hearing, his contrivance being detected, he was sent to Newgate the 27th of October.

Two days after, sir William Waller, a magistrate of London, searching Cellier's house, found the plan of the pretended plot, writ very fair, in a paper book tied with ribbands, and hid in a meal tub, which gave it the name of the meal tub plot. Dangerfield perceiving himself ruined, if he persisted in a thing which he could not support, applied himself to the lord mayor of London, and gave him in writing a large confession upon oath, with a discovery of the persons by whom he was employed. This confession being transmitted to the council, several persons were apprehended<sup>l</sup>, and amongst the rest Roger Palmer earl of Castlemain. The lady Powis, accused by others besides Dangerfield, of conspiring the death of the king, was sent to the Tower. and ordered to be prosecuted for high treason. This affair greatly contributed to the resolution taken by the earl of Essex and the lord Hallifax,

It obtains the name of the meal tub plot. Dangerfield discovers the fraud.

Echard.

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N n

to

<sup>k</sup> In Ax-yard, King's Street, Westminster. Dangerfield's narrative, p. 42.

<sup>l</sup> Particularly Mrs. Cellier, and Gadbury the astrologer.

1679. to retire from court, because they observed, that though they were mentioned in the plot, they were left out of the secret examinations about it.

The death of Hobbes. The famous philosopher Thomas Hobbes died this year, in the 91st year of his age. His writings are unhappily but too well known, to need any farther notice<sup>m</sup>.

1679-80. Affairs in the beginning of the year 1680, were in such a situation, that the king had need of all his patience, and address. There were visibly two parties in the kingdom, that of the court, and that of the country. To the endeavours of the court to gain proselytes, the country party opposed swarms of libels to inflame the people, by representing the mischiefs with which England was threatened, if the designs of the court and the papists were not prevented<sup>n</sup>. For no scruple was made of affirming in these libels, that the papists were countenanced by the court. The year forty one seemed to be returning, and it was even probable, that the contrary party to the king had no better intentions against him, than the enemies of Charles I. had in 1640. It was a melancholy thing to see the kingdom thus divided by the opposite interests of the king and the subject. But when it was known, that the king had resolved to prorogue the parliament till November, not only anonymous libels were published, but petitions flowed from all parts, for the sitting of the parliament the 26th of January, according to the last prorogation. The king received these petitions with great trouble, and failed not to return a disobliging answer to those who had the boldness

Libels against the court.  
Echard.

Addresses to the king for the meeting of the parliament.  
Kennet.  
Burnet.  
Echard.

m To be a little more large upon the character of this philosopher. He was the son of a clergyman, born at Malmesbury in Wiltshire, and called from this place of his birth Malmesburienfis. He went out bachelor of arts at Magdalen hall in Oxford, and from thence was taken very young into the earl of Devonshire's family. With the son of that nobleman he travelled into France and Italy, and made an acquaintance with Galenus, and some of the greatest men of the age. In his 63d year he settled in England for the remainder of his days, and in the healthful air of Chalfont, in Derbyshire, he'd it out to the 91st year of his age. The king having learned mathematics of him abroad, awarded him a pension of one hundred pounds a year. His genius was vast and extensive. But notwithstanding

his pretences to philosophy and the mathematics, young Wallis of Oxford convinced the world, that his self sufficiency was much greater than his real abilities. He likewise aimed at a reputation in poetry, translated Homer, and writ some other little things, which have only ranked him against our Ogilby's in this part of learning. He certainly writ Latin with great purity, and his version of Thucydides shews him a master of his own language. It is said that his years improved his fears of death, and that he did not leave the world with the decency and resignation of a philosopher.—This year also died Matthew Poole, the compiler of the Synopsis Criticorum on the bible.

n Of the libels then published, that which made most noise, was an appeal from the country to the city.

ness to present them. Nay, he published several proclamations against these petitions, using the same reasons that James I. and Charles I. had alledged on the like occasions. He said, "He was the head of the government, and the only judge of what was fit to be done in such cases, and that he would do what he thought most for the good of himself and his people, desiring they would not meddle with a matter, that was so essential a part of his prerogative." All this is very true in the ordinary course of the government. But when the people believe the sovereign is using, to the destruction of the kingdom, a prerogative intended for their welfare, the bare allegation of the royal prerogative is not capable to satisfy them. Whatever colour is given to it, the English would never be convinced, that it ought to turn to their ruin. Accordingly, the proclamations were not able to put a stop to the petitions, as on the other hand, the petitions obliged not the king to alter his measures.

However, the king resolved to meet the parliament the 26th of January, but it was only to tell both houses, that the unsettled condition of the nation, rendered a long interval of the parliament absolutely necessary, for composing and quieting of men's minds. That nevertheless he would only prorogue them to April, in order to meet them again in that month, if the condition of his allies abroad demanded their assistance. After this short speech, the chancellor, by the king's command, prorogued the parliament to the 15th of April.

Two days after, the king declared in council, "That he had sent for his royal highness, not having found such an effect from his absence, as should incline him to keep him longer from him, when questions were started of such a nature, as made it reasonable that he should be present at the next session." Upon this invitation the duke of York appeared at court the 24th of February, where he was received with great pomp and satisfaction by the king his brother.

The duke's arrival, and the king's late firmness in proroguing the parliament, notwithstanding the clamours of the malecontents, greatly encouraged the court party, so that multitudes of addresses were presented to him, testifying an abhorrence of the liberty taken by some men to

N n 2

require  
Burnet.

o These words were not in the king's proclamations, but in his answers to the London and Wiltshire petitions.

1679-80. require him to hold the parliament<sup>p</sup>, and in that from Norfolk he was thanked for recalling the duke of York. Though it is certain, the general sense of the people for or against the court, is seldom to be known by these petitions, it is no less certain, they are, for the most part, the work of a few popular men, who by intrigue and cabal, procure subscriptions to these addresses, from those with whom they have interest, and who often sign them without examining the contents. Accordingly these addresses are usually not to be regarded, most of the subscribers being ready to sign the contrary, if they think it for their private advantage. They are however urged as a proof of the people's being of this or that sentiment, though in the main, it is a very dubious proof. On the present occasion, petitions had been presented to the king for the sitting of the parliament. As soon as the parliament was prorogued, and the duke of York at court, many addresses were presented in abhorrence of the former, so that two parties were formed, called the petitioners and abhorers; and as the animosity between the two parties gradually increased, they bestowed upon each other names of reproach, and from hence arose the so much famed distinction of whig and tory. The petitioners looking upon their adversaries as entirely devoted to the court and the popish faction, gave them the name of tories, a title given to the Irish robbers, villains, and cut-throats, since called rapparees. Thus the name of tories, serves only now to distinguish one of the two factions which still divide England. The abhorers on their side, considering the petitioners, as men entirely in the principles of the parliament of 1640, and as presbyterians, gave them the name of whig, or sour milk, formerly appropriated to the Scotch presbyterians, and rigid covenanters. These two denominations are too well remembered at this time.

Rise of  
whig and  
tory.

1680. The whigs were directed by the earl of Shaftsbury, who looking upon the duke of York not only as his own, but also as the mortal enemy of his party, believed there was no medium between perishing, or ruining that prince. To this end, he had made it his business to extol the duke of Monmouth, and render him the darling of the people, imagining, that when he had the people on his side, the supplanting

A report  
spread of the  
duke of  
Mon-  
mouth's  
legitimacy.  
Sandford,  
p. 640.  
Kennet.  
Richard.

<sup>p</sup> The first address of this sort came from the city of Westminster, and was presented by Francis Withens, Esq

who was knighted for it. Kennet, p. 370.

supplanting the duke of York would not be impracticable. 1680.

With this view it was, at least as it is pretended, that the earl of Shaftsbury found means to spread a rumour, that the king was lawfully married to Mrs. Walters, the duke of Monmouth's mother; and that the marriage contract was in a black box, in the custody of sir Gilbert Gerard. The king and the duke of York easily perceived the tendency of this rumour, and therefore omitted nothing to undeceive the people. To this end the king called an extraordinary council the 26th of April, in which he declared, "That the report was altogether false, and that he thought himself obliged in honour and conscience to have the matter thoroughly examined and searched into." Gerard appearing before the council, declared upon oath, "That he never had any such writing, as was reported, committed to his charge, nor did he ever see or know of such writing." In short, after many fruitless enquiries after the author of the report, the king was forced to content himself with publishing, the 3d of June, a declaration, to confirm one made January the 6th, and another made March the 3d, which was entered in the council-books, and signed by sixteen privy councillors, wherein he said, "That to avoid any dispute which might happen in time to come, concerning the succession to the crown, he did declare in the presence of Almighty God, that he never gave, nor made any contract of marriage, nor was married to Mrs. Barlow, alias Walters, the duke of Monmouth's mother, nor to any other woman whatsoever, but to his present wife queen Katherine, then living."

Silenced by  
the king.  
Sandford.  
Echard.

This summer were several prosecutions and trials, and the 23d of June, Roger Palmer earl of Castlemain, a papist, husband to Barbara Villiers duchess of Cleveland, the king's mistress, was brought to his trial and acquitted. Cellier the midwife, who had assisted the lady Powis in the sham plot, was likewise acquitted. Shortly after, she published a narrative of her trial, with severe reflections upon some persons, then in credit, for which she was tried a second time, and sentenced to stand three times in the pillory, and pay a thousand pounds fine. The grand jury found not the bill against the countess of Powis. Thus

The accomplices of the  
meal tub  
plot acquitted.  
State trials,  
t. III.

N n 3

all

q Kennet says that the late master of the Charter house, who was long in the service of king Charles II. abroad, and had the care of Mrs. Barlow, and buried her at Paris; said po-

sitively, the king had never any intention to marry her, and that indeed she did not deserve it, being a very ill woman, p. 366. Note b.

1680. all the persons concerned in the meal tub plot were acquitted. The torrent did not then run in favour of the party against the court.

Bedloe dies.  
Echard.

Bedloe, the famous witness of the popish plot, died at Bristol the 20th of August. Three or four days before his death, the lord chief justice North then in his circuit, visiting him, Bedloe in his presence signed the following deposition.

His deposition before the lord chief justice North, on his death-bed.

“ That the duke of York hath been so far engaged in the plot, as he hath seen by letters in cardinal Barbarini’s secretary’s study, that no part that hath been proved against any man already, that hath suffered, but that to the full those letters have made him guilty of it; all but what tended to the king’s death. And at Rome I asked father Anderton and father Lodge, two jesuits, what would the duke do with his brother when he was king? And they answered me, they would find a means for that; they would give him no trouble about it. Then I told them, I believed the duke loved his brother so well, he would suffer no violence to be done to him. They said, no: if the duke could be brought to that, as he had been religiously to every thing else, they might do their work; their other business was ready, and they might do it presently. But they knew they could not bring him to that point; but they would take care for that themselves: they had not begun with him to leave him in such scruples as that. But they would set him into his throne; and there he should reign blindfold three or four days; for they had settled some they should pitch the action upon, should clear their party. And then he should fly upon them with the sword of revenge.

And this examinant doth further add, “ That the queen is, not, to this examinant’s knowledge, nor by any thing he could ever find out, any way concerned in the murder of the king; but barely, by her letters, consenting and promising to contribute what money she could to the introducing the catholick religion. Nay, it was a great while, and it made her weep, before she could be brought to that.”

He also declared to the lord chief justice, “ That he looked upon himself as a dying man, and found within himself, that he could not last long, but must shortly appear before the Lord of hosts, to give an account of all his actions. And because many persons had made it their business to baffle and deride the plot, he did, for the satisfaction

“tisfaction of the world there declare, upon the faith of a dying man, as he hoped for salvation, That whatever he had testified concerning the plot was true: and that he had wronged no man by his testimony, but had testified rather under than over what was truth;—and, that he had other things to discover, which were of great importance to the king and the country, with other matters of the like nature.” In conclusion, his lordship was “desired to represent to his majesty his condition, and that his business was very chargeable, and move his majesty in his behalf for some supply of money for his subsistence.”

1680.

This deposition deserves some remarks. The first, that it comes from a dying man, and who indeed died three days after. If the protestations of those who had been condemned, either for the plot, or Godfrey's murder, may form a presumption in their favour, I do not see why this of dying Bedloe should not form the like, unless the point in question is taken for granted, namely, that the condemned persons were innocent, and Bedloe a villain for swearing against them. 2. Bedloe distinguishes perfectly the several articles of the plot, in that he accuses the duke of York of being engaged in the plot, but acquits him from designing the king's murder. Now the plot, with regard to the government and religion, is so evident, and the part the duke of York had in it so clear from Coleman's letters, that nothing can better agree with Bedloe's deposition. Thirdly, it is really improbable, that two jesuits at Rome, directors of so important an affair, should speak so openly to Bedloe. But on the other hand, the manner of the king's death three or four years after Bedloe's, gives but too just cause to suspect, there was foul play, and causes this improbability to vanish in part. Lastly, Bedloe declared in his deposition, “That whatever he had testified concerning the plot was true,” and this last deposition, far from giving room to suspect it of falshood, may rather create a belief, that it was not an invention, since, being so near death, he could have no inducement to acquit the duke of York upon one article, and accuse him upon others, or even to trouble the chief justice with any deposition at all.

Remarks.  
upon this  
deposition.

This deposition a little perplexes a famous historian, Echard, who in this part of his history undertakes to prove the plot to be a fiction. To free himself from this difficulty, he scruples not to oppose his own authority to Bedloe's deposition. “We know not, says he, how to speak softly of

1680. "the dying words of one hardened by many years villanies; but must expressly declare, that as to his publick oaths he did not only swear to the most shocking improbabilities, but sometimes changed, and other times contradicted his own evidence." After this authority no man, doubtless, will regard this last deposition of Bedloe, otherwise than as a continuation of the crimes he had been guilty of, in falsely swearing there was a plot, when in reality there was none.

Two presbyterian sheriffs elected. Burnet, p. 479. Echard.

The city of London was then in the country party, which gave it great reputation. The choice, on Midsummer day, for sheriffs, fell upon two famous presbyterians, by a majority of voices, both accounted fanatics by the contrary party<sup>r</sup>. These were Slingsby Bethel, and Henry Cornish, who took care to qualify themselves by receiving the sacrament in the church of England, abjuring the covenant, and doing every thing as appointed by act of parliament. While this election was depending, it was pretended, that Bethel's party had committed some violence against the other, which obliged the king to order a commission of oyer and terminer to be issued out for the trial of the riot. Mean while, the two sheriffs contrary to the king being chosen, Thomas Papillon, esq; presented an address to the lord mayor, in the name of the city, wherein, after disowning all tumultuous and disorderly proceedings, and testifying an inviolable fidelity to the king, they desired his lordship, "That he would, in their names, humbly beseech his majesty, that the parliament might speedily assemble." Whether the address produced any effect, or the king had already taken his resolution, a few days after, it was made known by a publick proclamation, that the parliament should sit on the 21st of October.

The lord mayor addressed to petition the king for the sitting of the parliament.

The duke of Monmouth returns, and takes no notice of the court. Temple. Echard. Burnet, p. 477. The duke of York presented as a papist.

While the time of the meeting of the parliament was yet remote and uncertain, the court party had some advantage, but, as it approached, the country party gained the superiority. The duke of Monmouth was returned from Holland without leave<sup>s</sup>, and instead of going to court, made several progresses in the kingdom to encourage his friends, and increase their number. This party were resolved to run all

<sup>r</sup> The court was very jealous of this election, and understood it to be done on design to pack juries. Burnet, p. 481.

<sup>s</sup> He begged the king's leave to return; but when he saw no hope of ob-

taining it, he came over without leave. The king upon that would not see him, and required him to go back. But the earl of Shaftsbury advised him to make the progresses here mentioned. Burnet, p. 477.

all hazards, and ruin themselves or the duke of York, the next session of parliament. To this end, the earl of Shaftsbury, attended by twelve lords and gentlemen of note, went publickly to Westminster-hall, and at the king's bench bar, by a bill in form, presented the duke of York as a popish recusant<sup>t</sup>. The thing was but too true, and the whole kingdom was sensible of it. But till this time no man had dared to take such a step, which was considered as a formal design to break all measures with the duke. This action so surprized the three principal ministers, that they concluded the contrary party must necessarily be assured beforehand of the resolutions of the parliament. Wherefore, to ingratiate the king with the parliament, they advised him to send the duke of York into Scotland, believing it would not be in his power to support him, if he left him in England, during the session of the parliament. The king approving their reasons, obliged the duke to return to Scotland, after repeated assurances, that he would never forsake him. So the duke departed the day before the meeting of the parliament, to the great satisfaction of his enemies, who hoped to ruin him more easily in his absence.

The king sends away the duke of York. Burnet, p. 487. Echard.

At last, the parliament met the 21st of October, as the king had promised in his proclamation. In his speech at the opening, he acquainted both houses, "That he had made and perfected an alliance with the crown of Spain, suitable to that which he had before with the states of the United Provinces, consisting of mutual obligations of succour and defence. He assured them, that nothing should be wanting on his part to give them the fullest satisfaction their hearts could wish, for the security of the protestant religion, consistent with preserving the succession of the crown in its due and legal course of descent. In order to this, he recommended to them to pursue the further examination of the plot, with a strict and impartial enquiry; neither thinking himself nor them safe till that matter was gone through with, and therefore it would be necessary that the lords in the Tower should be brought to their speedy trial, that justice might be done.——He told them, it would be impossible  
" without

Kennet, p. 371. Echard.

<sup>t</sup> They that attested the bill were the earls of Huntington and Shaftsbury; the lords Grey of Werk, Brandon Gerard, Russel and Cavendish; sir Gilbert, Gerard, sir Edward Hungerford, sir Scroop How, sir William

Cooper, sir Thomas Wharton, John Trenchard, Thomas Thynne, and William Forrester, esquires. By the sudden dismissal of the grand jury, the matter had no consequence in the forms of the court. Echard, t. III. p. 579.

1680. "without their support to preserve Tangier, and therefore desired their advice and assistance.——In conclusion, he recommended to them a perfect union with himself, and one another, as the only thing which could restore the kingdom to its antient strength and vigour, and raise it up again to that consideration which England had usually had."

During this whole reign, the king's religion was so great a secret, that very few were acquainted with it. And therefore the king more boldly protested his zeal for the protestant religion, and on all occasions declared, he would maintain it against the attempts of the papists. These protestations might then have some effect, since it is very natural for a king to favour his own religion. But since it has been certainly known, that Charles II. was a papist, had abjured the protestant religion before his restoration, and professed, though secretly, the popish religion, these so solemn and so frequent protestations must be thought very strange, being intended only to deceive his subjects.

The commons expelled the abhorers, and petition against Jefferies. Kennet, p. 377. Echard. Burnet, p. 484.

After the speaker <sup>a</sup> was chosen, and approved by the king, the house of commons immediately discovered what was to be expected from them, by expelling some of their members, for having been abhorers. But not content with punishing their own members, they ordered an address to be presented to the king, to remove from all public offices sir George Jefferies, serjeant at law, recorder of London, and chief justice of Chester, as guilty of the same crime, and a betrayer of the rights of the subject.

Narrat.

The commons resume the examination of the plot. Echard.

The king's dissimulation.

As this was a new parliament, and as the affair of the plot was to be resumed at the king's own desire, the witnesses who had already deposed, laid before the house their informations, and were joined by Dangersfield, Jennison, Dugdale, and one Turberville, a new evidence. Some likewise came from Ireland. Upon a report made to the house, that dr. Tonge, who had first discovered the plot to the king, had received no gratuity, he was now recommended to his majesty for the first good ecclesiastical preferment that fell in his gift. But the doctor was disappointed of the benefit of this recommendation, by leaving the world not long after. The king on this occasion discovered no less zeal than the commons, and issued out a proclamation, with a promise of his pardon to any person who should, within two months, give farther information and

<sup>a</sup> William Williams, esq; of Gray's Inn.

and evidence concerning the horrid and execrable popish plot. 1680.

But this dissimulation was not capable of deceiving the commons. Five days after the opening of the parliament, the 26th of October, the lord Russel moved, "That they might in the first place take into consideration how to suppress popery, and prevent a popish successor." He was seconded by sir Henry Capel, brother to the earl of Essex, who, in a long speech, related what had been done to the prejudice of the kingdom during the present reign. He ascribed the whole to popish counsels. He spoke of the first Dutch war; of the division of the fleet; of the affair of Chatham; of the fire of London; of the discharge of the prisoners concerned in that wicked act, without trial; of the violation of the triple league; of the seizing the Dutch Smyrna fleet before war was proclaimed; of the second Dutch war; of the permission to the Irish papists to wear arms; of the alteration of the government of Scotland, by lodging it in a commissioner and a council, besides an army of twenty thousand men. He said, the papists were emboldened to act any thing, by the hopes of having the duke of York for king: that they were moreover encouraged by the French ambassador, who by his frequency at court, seemed to be rather one of the family, and of the king's household, than a foreign ambassador; and by his free recourse to his majesty, rather a prime minister of state of this kingdom, than a counsellor to another prince: that since all these irregularities and enormities proceeded from the popish party, supported by the duke of York, it was high time to think of some effectual expedient to prevent popery and a popish successor.

The commons resume the exclusion bill.

Debates about the exclusion, p. 1, &c. Kennet. Echard. Burnet.

Several other members spoke to the same effect, some more, some less; and no man offered to vindicate the duke, or speak in his behalf, till the house came to the two following resolves, upon the 2d of November.

"1. That the duke of York's being a papist, and the hopes of his coming such to the crown, hath given the greatest countenance and encouragement to the present designs and conspiracies against the king and the protestant religion.

Votes of the commons for the exclusion of the duke of York.

Debates, &c. p. 24.

"2. That in defence of the king's person and government, and protestant religion, this house doth declare, that they will stand by his majesty with their lives and fortunes, and that if his majesty should come to any vio-

"lent

1680. "lent death, which God forbid, they will revenge it to  
 "the utmost of their power on the papists."

Speeches for  
 and against  
 it.

Upon these two votes, the lord Russel moved for a committee to bring in a bill to disable the duke of York from inheriting the crown. This affair was now debated with great spirit in several eloquent speeches on both sides the question. The substance of what was urged for the bill was, that the evils which the kingdom had felt, and still laboured under, proceeded from popish counsels, begun and headed by the duke of York. That the danger must be extreme, should he ever enjoy the crown. That it might be read in scripture, "That one man ought to die for a nation, but not that three nations should die for one man." The opposers of the bill offered not to shew there was no danger in a popish king. This they were willing to suppose, but pretended that there were other expedients to prevent this danger than that of exclusion. That besides, it could not be expected that the duke of York, and many others would submit to this law, the consequence whereof would be a civil war, in which the duke of York would be supported by all the princes of Europe.

To this objection it was answered, that no expedient could be thought of to secure the protestant religion under a popish prince, who would have a popish council, popish judges, popish magistrates and deputy lieutenants, popish commanders at sea and land, nay, and popish bishops too. That the excluding the duke from the succession, was no depriving him of his right to the crown, of which he had rendered himself incapable, by embracing a religion contrary to that of the kingdom. For a popish king and protestant subjects were irreconcilable.

The others replied, there was no law which, for a difference of opinion in religion, deprived any man of his right.

In conclusion, it was resolved, "That a bill be brought in to disable the duke of York to inherit the imperial crown of this realm."

The exclusion bill read.

Secretary Jenkins supports the interests of the duke of York. Debates, &c.

p. 51.

Hitherto the court party had only skirmished, as I may say, in hopes that an engagement might be avoided. But when this vote had passed, and the bill was read the first time, sir Leoline Jenkins, secretary of state, stood up and argued directly against it, by alledging:

"1. That it was contrary to natural justice, to condemn any man before the conviction, or the hearing of him.

"2. &c.

- “ 2. It was contrary to the principles of our religion, to <sup>1680.</sup>  
 “ dispossess a man of his right, because he differs in point  
 “ of faith.  
 “ 3. He was of opinion, that the kings of England had  
 “ their right from God alone, and that no power on earth  
 “ could deprive them of it.  
 “ 4. It was against the oath of allegiance, taken in its  
 “ own sense, without jesuitical evasions ; which binding all  
 “ persons to the king, his heirs, and successors, the duke,  
 “ as presumptive heir, must be understood.”

The advocates for the bill answered to the first objection ; <sup>His reasons</sup> that not only the duke of York's interests were concerned, <sup>answered.</sup> but those of the whole kingdom ; and that if the duke of York had withdrawn at the time the parliament was going to meet, his absence ought not to prevent their providing for the good of the kingdom. To the second objection it was answered, that in establishing for principle, that difference of opinion in religion ought to be no cause for dispossessing any man of his right, all the acts of parliament made since the reformation against papists and sectaries were condemned, who, as subjects, had rights in common with the rest, of which nevertheless it was thought expedient to deprive them, on account of the dangers to which the kingdom would be exposed, if they were left in the enjoyment of them. That this was a Maxim generally received in all states, protestant or popish. That it was very true, the subjects of a different religion might be injured by being deprived of their rights ; but that this injury proceeded not from the government's having no right to take this precaution, but from taking it unreasonably and groundlessly, thro' prejudice, pride, passion, revenge and hatred. To the third objection it was answered, That allowing the principle, that the kings of England had their right from God alone, it should at least have been specified wherein consisted that right, and it would never be proved, that the kings of England were invested with power from God, to alter the constitution, or introduce a new religion at pleasure. But, if by this right was understood only that of the succession, the principle was false, as might be proved by many instances in the English succession ; for all the kings and queens since Henry VII. mounted the throne by virtue of an act of parliament, which had settled the succession upon the posterity of that prince, and had since been confirmed by others. It was replied to the fourth objection, that the oath of allegiance, which bound the subject to the king's heirs and successors,

## THE HISTORY

was to be understood, when those heirs and successors were on the throne, and not while they were yet subjects. But supposing even the oath to be meant of an engagement to acknowledge for king the next heir, it certainly became void, if that heir rendered himself incapable of succeeding by his ill conduct. That the laws which imposed oaths had always in view a certain constitution of government, which they supposed constant and unalterable, because all cases that might happen could not be foreseen. But that it could not be denied, there were possible cases in which these oaths would become entirely null; as for example, if the presumptive heir should declare openly against the constitution of the state, and clearly discover, that he intended to alter it when on the throne. And if in that case it was pretended, the subject was still bound by his oath of allegiance to this successor, the plain meaning of the oath would be, that the subjects bound themselves to slavery, whenever the prince should think fit to impose it, which was absurd. In fine, that the parliament was the sole judge of such cases.

Several  
other rea-  
sons al-  
leged for  
the bill.

But the advocates for the bill, not contented with replying to Jenkins's objections, added likewise other reasons to demonstrate the legality, the expedience, the necessity, of the exclusion of the duke of York. They proved the first point by precedents taken from the history of England, by which they demonstrated, that, on several occasions, the parliament had really disposed of the crown in a different manner from the usual custom. Edward III. was acknowledged king in his father's life time, and Henry IV. while Richard II. was still living. The parliament moreover granted the crown to Henry IV. and settled the succession in his posterity, contrary to the known and natural right of the earl of March, who was next heir to Richard II. Then they settled the crown upon the duke of York, and his posterity, after the death of Henry VI. though Henry had a legitimate son living. After the house of York had enjoyed the crown for three successive reigns, though that house had a numerous issue, the parliament transferred the crown to Henry VII. and his posterity. They gave a power to Henry VIII. to name his successors, and settle the succession as he should think proper. Lastly, on the succession of James I. to the crown, though no act was demanded by him to confirm his right, the parliament however made one, in order not to lose their own. As to the objection, that these princes were possessed of the crown when these acts were made, it ought to be observed, that though they had the power in their hands, and were in possession,

possession, they thought fit to demand the parliament's confirmation, as a thing absolutely necessary to justify their right. In fine, it was impossible for the parliament, considered as consisting of king, lords, and commons, to act any thing contrary to the laws, since their power of repealing old, and enacting new, laws, could not be disputed. That the supreme and absolute authority resides in the parliament composed of king and both houses. For what is the parliament but a body consisting of all the members of the state, to which no power on earth hath a right to prescribe? To say therefore, that the parliament can act unjustly against the laws, is to say, that all the members of the same body may act unjustly to themselves, and be responsible for this injustice, which is an absurdity not to be defended.

As to the fitness and benefit of the bill, it was not necessary to use many arguments to show, that it was expedient and fit, that the government and religion should be secured, and the people delivered from their fears and suspicions. It could not even be denied, that the exclusion of the duke of York would be attended with these advantages. But as it could not be supposed, that the duke of York and his adherents, would submit to the bill, which might occasion a civil war, wherein the duke might be supported by foreign aid, to this objection it was answered, that it was better to hazard such a war, than be exposed to a more certain danger, namely, of seeing the laws and religion invaded by a popish prince.

But it was principally to demonstrate the necessity of the exclusion bill, that the advocates for it displayed all their wit and eloquence. They maintained, that all precautions to limit the power of a popish prince, would be fruitless, because his promises and oaths could not be relied on, from which the pope, through a motive of religion, could absolve him. That before the reformation, the reign of Henry VII. furnished very remarkable instances, and it did not appear, that popes, since the reformation, had relinquished their principles. That besides, the duke of York's zeal for his religion and his principles concerning the government were well known, since the letters of his secretary and his intimate union with France had clearly shown, he was not only disposed to undertake any thing to support the interests of his religion, but had even, for that end, engaged in measures very prejudicial to the state. That it was to popish counsels and to the duke in particular, that the two Dutch wars, so contrary to the interests of England, were to be ascribed.

That

1680. That to him were owing the non-execution of the law made against popish recusants, the pernicious designs of the cabal, and that Coleman's letters made it as clear as the sun, that he was the chief author of the frequent adjournments and prorogations of the parliament, at the very time they were employed in seeking expedients to save Europe, and the protestant religion from certain ruin. Other arguments were also alledged to prove, that all the precautions which could be taken, would be to no purpose, when the duke should be on the throne. First, it was said, that his union with France would supply him with money, without his being obliged to apply to the parliament. That he might thereby maintain what forces he pleased, and having an army at his command, would be master of the kingdom, and free to perform or not perform the conditions on which he should be raised to the throne. That with this army he might influence the elections, and procure such a parliament as would subvert all possible precautions. That there was too much reason to believe, that the late army had been raised with this design, since, being certain, that it was not intended against France, it could only be designed against the subjects. Nay, it was likely, this was the intent of the expedient proposed, that when the king should happen to die, the parliament then in being, or the last that was in being, should assemble and sit a competent time, without any new summons or elections, so that after the expiration of this competent time, the kingdom would fall into the inconvenience just mentioned. That if the transactions since the king's restoration were considered, it would be found, that nothing had been done with relation to the government, but what tended to subvert it and introduce popery. That the duke of York's influence in the king's counsels was well known: That tho' he was absent, his adherents and creatures enjoyed the principal plates in the court and kingdom, and that from him proceeded all the evils wherewith England was afflicted, and all the dangers the nation had to fear. That if after so manifest a discovery of his designs, after the last testimony of Bedloe on his death-bed, after all the evidence of an execrable plot against the state and religion, the duke's sincerity and flattering promises were to be trusted, the consequence would be a too late and fruitless repentance. From these reasons, and many others, it was inferred, that the exclusion bill was absolutely necessary, and that the people justly expected from their representatives this extraordinary precaution, to free them from their fears.

The court party were extremely embarrassed. There were facts alledged against the duke which could not be answered, and there were others which they durst not directly deny, for fear of farther disputes, at a time when the torrent ran so high against the duke. Nay, very few ventured to appear openly for him. Amongst these were sir Leoline Jenkins secretary of state, mr. Hyde a privy counsellor, and one of the three who then managed the duke's affairs, mr. Seymour, and one more. Sir Leoline Jenkins desired the house to consider, "That the duke of York was the king's

Reasons  
alledged  
against the  
bill.

Debates, &c.  
p. 37.

"brother, and son of Charles I. for whose memory the nation had a great veneration: that the duke was enriched with excellent endowments, which he had employed in the service of the nation, by fighting their battles, and defending them from the oppression of their enemies, and was only guilty of this one crime, which he hoped, upon a mature deliberation, would not deserve so great a condemnation.——He remembered them, that there were laws already for the punishment of the crimes he was accused of, and therefore humbly conceived, they ought not to chastise him, by making a new law before any hearing." Mr. Hyde added——"I do not know that any of the king's murderers were condemned without being heard; and must we deal thus with the brother of our king?——It would consist much better with the justice of the house, to impeach him, and try him, in a formal way, and then cut off his head, if he deserve it. I will not, continued he, dispute the power of parliaments; but I question whether this law, if made, would be good in itself.——For aught I know, when you have made this law, it may have a flaw in it; if not, I am confident there are a loyal party, which will never obey, but will think themselves bound by their oath of allegiance and duty, to pay obedience to the duke, if ever he should come to be king, which must occasion a civil war."——

Ibid. p. 96.

Ibid. p. 98.

In the course of the debates on the bill, sir Francis Win-  
nington alledged, "That an act of the thirteenth of Elizabeth made it treason for any man to say, that the parliament could not alter the succession." To which mr. Finch replied, "I will not say that acts of parliament cannot dispose of the succession, because it was made treason by a statute in the 13th of Elizabeth. But I will deny that the kings of England rule by virtue of any statute law, as was suggested; for their right is by so antient a prescription, as

p. 103.

1680. "that it may justly be said to be from God alone, and ~~that~~  
 "no power on earth ought to dispute it."

Different  
 opinions of  
 the power  
 which the  
 parliament  
 has in rela-  
 tion to the  
 succession of  
 the crown.

Though this question was only accidentally raised and carried no farther, I think it ought not to pass unregarded, because it serves to discover the two opinions among the English, concerning the succession. Some believe, that in extraordinary cases the parliament has power to dispose of the succession, because the parliament is supposed to include the whole nation, from the king to the meanest subject, and it is absurd to dispute the power of the whole nation united in one body, to order what is for their well being. Others maintain, that the succession is unalterable, and admits not of any change, either by the nation in a body, or by the parliament. That if this is done, it is unjustly, and the parties concerned are not obliged to submit to the parliament's decisions. That such changes were never made without causing troubles and civil wars in the kingdom; because, as it is not in the power of the king to deprive the nation or the parliament of their rights, so neither is it in the power of the parliament to deprive the next heir of the succession to which he is intitled by nature and birth. This question has never been unanimously decided, but each party maintain their opinion, and determine according to the strength of their reasons. In all appearance, this dispute will be still long continued.

The commons pass the exclusion bill. Debates, &c. p. 83.

At last, after several days debates, the exclusion bill passed the house by a great majority. This bill was much the same with the other brought in during the last parliament, only it had this additional clause, "That, during the life of James duke of York, the act should be given in charge at every assizes and general sessions, and read openly in every cathedral, parish-church and chapel, twice every year immediately after divine service, that is to say, on the 25th of December, and upon Easter day."

A message from the king. Nov. 10. Debates, &c. p. 69.

While the commons were proceeding on this bill, the king endeavoured to interrupt their debates by two messages. By the first he desired them to expedite such matters as were depending before them, relating to popery and the plot; assuring them, that all remedies they could tender to him, conducing to these ends, should be very acceptable to him, provided they were such as might consist with preserving the succession of the crown in the legal course of descent.

An address from the commons. Nov. 11. ibid. p. 79.

Upon this message an address was presented to the king by the house, in which they said, "That though the time of their sitting had not much exceeded a fortnight, yet they had

had in that time not only made a considerable progress in some things absolutely necessary for the safety of his majesty's person, the effectual suppression of popery, and the security of the religion, lives, and estates, of his majesty's protestant subjects; but even in relation to the trials of the five lords impeached in parliament, they had so far proceeded, as they should in a short time be ready for the same. But they could not (without being unfaithful to his majesty and their country) omit humbly to inform his majesty, that their difficulties, even as to those trials, were much increased, by the evil and destructive counsels of those persons who advised his majesty, first to the prorogation, and then to the dissolution of the last parliament, at a time when the commons were prepared for those trials; as likewise by the many and long prorogations of the present parliament, before the same was permitted to sit. That a principal evidence was unfortunately dead, between the calling and the sitting of the parliament. That others had been taken off, or discouraged from giving their evidence. To prevent the like inconveniences for the future, they made it their humble request to his majesty, that he would not suffer himself to be prevailed upon by the like counsels, to do any thing which might occasion either the deferring a full discovery of the plot, or the preventing the conspirators from being brought to speedy and exemplary justice and punishment."

1680.

The king's other message was concerning Tangier, to recommend to the commons the preservation of that place. But the house not being disposed to content the king, instead of offering him money for the relief of Tangier, besieged by the king of Morocco, took occasion from the message to consider some of the court's proceedings in this reign. It was argued, "That they were indeed afraid of Tangier, but more afraid of a popish successor:—they were unwilling to give any money, because they remembered, when eleven hundred thousand pounds was given for the building of ships, not one ship was built; and above two millions given to support the triple league, when it was soon employed for the breaking of it; and twelve hundred thousand pounds given for a war with France, when at the same time we were under private obligations for peace." These were facts to which the friends of the court had nothing to reply, because they were publicly known. They contented themselves with demonstrating the

The king's message to the house in relation to Tangier.

Nov. 17. Debates, &c. p. 106, 115, 117.

p. 120.

1680. importance of Tangier to the Levant trade, and representing, that the two millions expended on the Mole would be entirely lost. In short, as the commons had always in mind the exclusion bill, they took occasion from this message to  
 Nov. 29. present to the king a long address, or rather remonstrance, setting forth, in eighteen articles, the dangerous state of the kingdom, with regard to popery. But it was not so much to acquaint the king with these dangers, as to represent them to the people, that they might think the exclusion bill less strange. The substance of these eighteen articles was as follows:

- “ 1. That Tangier had been several times under the command of popish governors; that the supplies sent thither, had been in great part made up of popish officers and soldiers, and that the Irish papists had been most countenanced and encouraged.
- “ 2. That here at home the endeavours and attempts of the popish party had been so bold and successful, that it was a matter of admiration to them, and which they could only ascribe to an over-ruling providence, that his majesty's reign was still continued over them, and that they were yet assembled to consult the means of their preservation.
- “ 3. That this bloody and restless party had found countenance and protection from the laws made against them; That they had found means to disgrace their opposers; and if they were judges, justices of the peace, or other magistrates, to have them turned out of commission: so that after some time, they became able to influence matters of state and government; and thereby to destroy those that they could not corrupt.
- “ 4. The continuance and prorogation of parliaments, had been accommodated to serve the purposes of that party.
- “ 5. Money raised upon the people to supply his majesty's extraordinary occasions, had, by the prevalence of popish counsels, been employed to make war upon a protestant state, and to advance and augment the dreadful power of the French king.
- “ 6. That great numbers of his majesty's subjects were sent into, and continued in the service of that king: and even the ministers of England were made instruments, to press the states of Holland to accept of a demand from the French king, of admitting the publick exercise of the Roman catholick religion.

“ 7. That

1680.

“ 7. That if ever any command were given for those laws to be put in execution against papists, even from hence they gained advantage to their party. while the edge of those laws was turned against protestant dissenters, and the papists escaped in a manner untouched.

“ 8. That the test act had little effect; for the papists, either by dispensations obtained from Rome, submitted to those tests, and held their offices themselves; or those put in their places were so favourable to their interests, that popery itself had rather gained than lost ground since that act.

“ 9. That a popish secretary, since executed for his treasons, had maintained a correspondence at Rome, and in the courts of other foreign princes, for the subduing (to use their own words) that pestilent heresy which had so long domineered over this northern world.

“ 10. That out of these counsels and correspondencies, was hatched that damnable and hellish plot, by the good providence of God brought to light about two years since.

“ 11. That when this accursed conspiracy was first discovered, the papists began to smother it, with the barbarous murder of a justice of the peace, within one of his majesty's own palaces.

“ 12. That amidst these distractions and fears, popish officers for the command of forces were allowed upon the musters, upon special orders countersigned by a secretary of state: and in like manner, about fifty new commissions were granted about the same time to known papists.

“ 13. That when, in the next parliament, the house of commons were prepared to bring to a legal trial the principal conspirators in this plot, that parliament was first prorogued, and then dissolved: and the interval between the calling and sitting of this parliament had been so long, that the papists had gained time and advantage of covering their past crimes, and practising them more effectually.

“ 14. That witnesses had been corrupted, not only by promises of reward, but of the favour of his majesty's brother.

“ 15. That divers of the most considerable of his majesty's protestant subjects had crimes of the highest nature forged against them, the charge to be supported by subor-

1680. " nation and perjury, that they might be destroyed by forms of law and justice.

" 16. That a presentment being prepared for the grand jury of Middlesex, against the duke of York, the grand jury were, in an unprecedented and illegal manner, discharged; and that with so much haste and fear, lest they should finish that presentment, that they were prevented from delivering many other indictments, by them at that time found against other popish recusants.

" 17. That because a pamphlet came out weekly, called, The weekly packet of advice from Rome, exposing popery, as ridiculous, to the people, as it deserved, a new and arbitrary rule of court, was made in the king's bench (rather like a star chamber than a court of law) that the same should not for the future be printed by any person whatsoever.

" 18. That notwithstanding all the proclamations for the banishing papists from about this great city, and residence from his majesty's court, and the parliament; yet great numbers of them, and that of the most dangerous sort, did daily resort hither, and abide here."

" For all which reasons, the commons intreated his majesty, that none but persons of sincere affection to the protestant religion, might be put into any employment civil or military, that whilst they gave a supply to Tangier, they might be assured they did not augment the strength of their popish adversaries, nor increase their own dangers. But that if his majesty should vouchsafe to grant their desires, they should not only be ready to assist him in defence of Tangier, but do whatsoever else should be in their power to enable him to protect the protestant religion and interest at home and abroad."

The lords throw out the exclusion bill. Temple, Kennet, p. 377. Echard, III. p. 594. Burnet.

Two days after this mortifying address, on the 15th of November<sup>x</sup>, the exclusion bill was sent up to the house of lords<sup>y</sup>. It passed only by two voices upon the first reading. But on the second reading it was thrown out by a superiority of sixty three, against thirty. Of fourteen bishops that day in the house, three only gave their votes for, and eleven against the bill<sup>z</sup>. The king was present at the whole debate, which lasted till near midnight.

It

<sup>x</sup> The address is dated Novemb. 13. but it was not presented to the king till November 29.

<sup>y</sup> It was carried up by William lord Russell, attended by the lord Caven-

dish, Sir Henry Capel, and indeed by almost the whole house of commons. Echard, tom. III. p. 594.

<sup>z</sup> Burnet says, all the bishops voted against the bill, p. 482.

It was a great mortification to the commons, to see their favourite bill thus thrown out by the lords. They grew so sullen and out of humour, that they fell upon several members of their own house, expelling some, and impeaching and imprisoning others, as well as upon persons not of their house<sup>a</sup>, for being abhorrers, or for having advised and assisted in drawing up the proclamation against petitioning for the sitting of the parliament. But this served only to discover their rage at their disappointment concerning the exclusion bill<sup>b</sup>.

1680.

Nov. 25.  
Kennet.  
Burnet,  
p. 484.

On the 30th of November, a new scene was opened, namely, the trial of William Howard, lord viscount Stafford, one of the five popish lords in the Tower, who were accused of being concerned in the plot. He was tried before the lords in Westminster-hall, the chancellor being appointed by the king to perform the office of high steward. The managers for the commons began with the plot in general, and laid open the malice, wickedness, and horror, of so dreadful, bloody, and hellish a design: They strenuously insisted on the express positive oaths of the witnesses, upon whom the credit of the plot depended: they expatiated on Coleman's letters and others, clearly proving the designs and activity of the writers: they pressed home the execrable murder of sir Edmundbury Godfrey, charged upon the papists, as well by the oaths of self-acknowledged partners in the fact, as by a letter sent from London to Tixall, intimating this very murder, the third day after it was committed: they fully displayed the sham plots, and counter contrivances, whereby the papists would have suborned the king's evidence, and turned all the guilt upon his majesty's

The trial of  
the lord  
Stafford.  
State trials,  
t. III. p. 101.  
&c.  
Burnet,  
Echard.

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<sup>a</sup> They agreed to impeach sir Edward Seymour the late speaker; and sir Robert Peyton was brought upon his knees, and expelled the house. They also voted to proceed for high crimes and misdemeanours against sir Francis North chief justice of the common pleas, sir Thomas Jones one of the judges of the king's bench, and sir Richard Weston one of the barons of the exchequer: and to impeach the lord chief justice Scroggs of high treason. Kennet, p. 377.

<sup>b</sup> The gentlemen who spoke for the exclusion were, lord Ruffel, sir Henry Capel, mr. Harbord, colonel Titus, mr. Thomas Bennet, sir Francis Warrington, sir Thomas Player, sir Wil-

liam Jones, mr. Boscawen, mr. Trenchard, mr. Montague, colonel Sidney. — Against the bill, sir Lionel Jenkins, mr. Laurence Hyde, mr. Edward Seymour, mr. Daniel Finch, mr. Garraway, sir Richard Graham. Debates, &c. In the house of lords the earls of Essex and Shaftsbury argued most for it: and the earl of Halifax (who was for limitations) was the champion on the other side. For which, when the bill was thrown out, the commons voted an address to the king to remove lord Halifax from his counsels and presence for ever, pretending it was for his advising the dissolution of the last parliament. Burnet, p. 482.

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1680. majesty's loyal subjects: they urged the firing the city, the burning the navy, the calling in French armies, wild Irish, Spanish pilgrims, &c. They recapitulated the several trials of Ireland, Whitebread, Langhorn, &c. and alledged the votes of both houses of parliament, declaring the plot. To corroborate all which, they repeated the cruelties of queen Mary, the French and Irish massacres, the powder plot, &c. And they anatomised the wicked principles and practices of murdering, lying, equivocating, forswearing, faithbreaking, &c. imputed to the papists, as held by them lawful and meritorious. In fine, they produced witnesses to prove the plot in general, but chiefly three appeared against the accused lord, namely, Dugdale, Oates, and Turberville.

State trials, p. 123, 124. I. Dugdale swore, " That at a certain meeting held at Tixall in Staffordshire, about the end of August, or beginning of September 1678, the lord Stafford, with lord Aston, and others, did in the presence of the witnesses, give his full consent, to take away the king's life, and introduce the popish religion. And that on the 20th, or 21st of September, in the forenoon, the lord Stafford sent for the witness to his chamber, while he was dressing; and, turning his servant out, offered him five hundred pounds for his charges and encouragement, to take away the king's life; and further told him, He should have free pardon of all his sins, and be fainter; for the king had been excommunicated, and was likewise a traitor, and a rebel, and an enemy to Jesus Christ."

p. 126. Oates swore, " That in the year 1678, both in Spain and at St. Omer's, he saw several letters; signed Stafford, wherein his lordship assured the jesuits of his fidelity and zeal, in promoting the catholick cause; that in 1678, being in London, his lordship came to the chamber of sa- ther Fenwick, since executed; and there, in his presence received a commission from him, to be paymaster general to the army: whereupon his lordship said, He must of necessity go down into the country to take account how affairs stood there; and did not doubt, but at his return, Grove should do the business. And, speaking of the king, he further added, He hath deceived us a great while, and we can bear no longer."

p. 127. Turberville gave an account of " disobliging his friends, by leaving his friar's habit at Doway; and thereupon went into France, in the year 1675, where at Paris, getting acquaintance with his lordship, he proposed to  
" the "

“ the witness, a way, both to retrieve his reputation with  
 “ his friends, and make himself happy; and this was by  
 “ taking away the life of the king of England, who was  
 “ a heretick, and a rebel against God Almighty. That  
 “ when he took leave of him, his lordship appointed to  
 “ meet him at London; but he soon after returned into  
 “ France, not being willing to undertake the proposals,  
 “ and was discountenanced by his friends, and reduced to  
 “ poverty.”

The accused lord, in his defence, alledged many things to invalidate the credit of the plot, and particularly, the reputation of these three witnesses.

Against Dugdale he produced evidence, “ That he was p. 145, 146.  
 “ a person of an infamous life; that he had cheated the  
 “ lord Aston, his master, and defrauded the workmen and  
 “ servants of their wages; that by his extravagancies and  
 “ misdemeanours, he had run himself into several hundred  
 “ pounds debt, for which he was thrown into goal, and  
 “ despaired of ever getting out from thence, otherwise  
 “ than by making the pretended discoveries. In the next  
 “ place, that he had directly perjured himself, in divers  
 “ parts and circumstances, as to the time and place, in this  
 “ and other depositions.” And further, he proved, “ That  
 “ he had endeavoured to suborn divers persons to make  
 “ false oaths, and so to strengthen his own by other men’s  
 “ perjury.”

Against Oates he enlarged upon the great improbabilities, p. 152, &c.  
 “ That so many great and rich conspirators, who had  
 “ trusted him with their greatest secrets, and whose lives  
 “ were at his mercy, should suffer him to be reduced to  
 “ such a wretched degree of beggary, as he was acknow-  
 “ ledged to be in when he made his first discoveries. He  
 “ likewise insisted upon his omissions, additions, and con-  
 “ tradictions, that plainly appeared in his several depositions  
 “ about the plot, and also upon his villainous feigning him-  
 “ self to be of another religion, by solemn renunciations of  
 “ his faith, and by such sacraments on one side, and such  
 “ abjurations and execrations on the other, as rendered  
 “ him unfit to be admitted for an evidence against any man  
 “ living.”

As to Turberville, he urged, “ That he was perjured in  
 “ this, and many other of his depositions; and that his  
 “ narrative had many mistakes and blunders in it. He de-  
 “ nied that he or any of his servants, ever saw him at Pa-  
 “ ris; and made some remarks upon his poverty and want,  
 “ his

1680. "his loose manner of living, his shameful cursing and swearing, and particularly his using these words, God damn me! There is no trade good now, but that of a discoverer."

This defence, as is easily seen, could not well be more weak, and yet it lasted a whole week, and the account of this trial makes a small volume in folio, containing in substance only what I have said. The accusations and depositions were express, and the prisoner's defence consisted, 1. In an absolute denial of the crime for which he was impeached. But this denial could be of no service to him, as it is not what the judges go by. 2. In several allegations against the witnesses. But bare allegations without proofs, are not wont to justify the accused. 3. In an improbability alledged against Oates, that if he had been so well acquainted with the secrets of so many rich men, they would never have suffered him to be reduced to such want. To this the lords doubtless paid the regard, they thought it deserved. But, methinks, such an improbability cannot be said to make a convincing proof in favour of the prisoner. 4. In a witness who deposed, that Dugdale was a person of an infamous life, and guilty of several cheats. On which, I cannot forbear repeating what I said on a like occasion, that if in a plot against the king or the state, only witnesses of honesty and reputation were to be allowed, there would be danger of always wanting evidence, because such plots are commonly discovered by the accomplices, and seldom any but villains are concerned.

The lord  
Stafford  
condemned.  
p. 187, 211.  
212.

However this be, after the lord Stafford had made a long and pathetick speech, and in the presence of God protested his innocence, he was found guilty by fifty-five votes against thirty-one. The lord high steward asking him, "What he could say for himself, why judgment of death should not pass upon him, according to law?" He replied, "My lord, I have very little to say; I confess, I am surprized at it, for I did not expect it. But God's will be done; I will not murmur at it. God forgive those that have falsely sworn against me."

Burnet,  
p. 493.

Sentence being passed upon him, several of his relations and acquaintance were urgent with him to make discoveries of all he knew, as the only means to save his life; to which he answered, that he was willing, out of a meer sense of duty, without any temporal view, to discover the utmost of what he knew. Whereupon, he was brought to the bar of the lords, where he declared things known to all

all the world, but said nothing of what was wished to be known. 1680.

He said, "That he thought it no crime for any man to wish his neighbour might be of the same religion, wherein he himself hoped to be saved; nay, to seek and promote it by such ways as the laws of God and the nation allow. That there had been, on several occasions, endeavours used to obtain an abrogation, or at least a mitigation of severities against the catholicks; but no otherwise than by legal and parliamentary means. That he himself at Breda propounded a hundred thousand pounds to the king, for the taking off the penal laws against them. That a bill had been brought into the house of lords in their favour, but was quashed by chancellor Hyde. That the earl of Bristol had made some proposals with no better success. That he had offered some proposals to the duke of York, the chancellor, and the earl of Shaftsbury, which last said, He doubted not but that there would come great advantages to the king by it." But this pretended confession not giving satisfaction to the lords, he was sent back to the Tower.

The 29th of December he was beheaded, being sixty-eight years of age: He protested his innocence to his last moment.

The 15th of December, the king came to the house of lords, and sending for the commons, made a speech to both houses, which properly was but a repetition of that made at the opening of this session, relating to his alliances with Spain and Holland for the repose of Christendom, and concerning Tangier. After which he renewed his promise of concurring with them in any remedies for the security of the protestant religion, which might consist with preserving the succession of the crown in its due and legal course of descent.

The commons returning to their house, instead of taking the king's speech into consideration, resolved themselves to a grand committee how to secure the kingdom against popery and arbitrary government. After a warm debate, they resolved:

"That a bill be brought in immediately, to banish all the considerable papists out of the kingdom." And upon a farther debate on the mischiefs and dangers of popery, they resolved, "That it is the opinion of the committee, that as long as the papists have any hopes of the duke of York's

He makes  
an illusory  
confession—  
Echard,  
III. p. 597.

Is beheaded,  
Debates, &c.,  
p. 150.  
Kennet,  
p. 378.  
Echard.

Several re-  
solves of the  
commons.  
Debates, &c.,  
p. 154.

p. 169.

p. 117.

1680.

p. 184.

“ York’s succeeding the king in the kingdoms of England and Ireland, and dominions thereunto belonging; the king’s person, the protestant religion, and the lives, liberties, and properties of all his majesty’s protestant subjects, are in apparent danger of being destroyed.” Then upon reference made to an act of queen Elizabeth for an association; they came to a like resolution: “ That a bill be brought in for an association of all his majesty’s protestant subjects, for the safety of his majesty’s person, the defence of the protestant religion, and the preservation of his majesty’s protestant subjects, against all invasions and oppositions; and for preventing the duke of York, or any other papist, from succeeding to the crown.”

p. 185.

The house stopped not there. After considering of ways and means to secure the kingdom against popery and arbitrary government, they came to these three resolves. 1. That it is the opinion of this house, that a bill be brought in, “ For the more effectual securing of the meetings and sittings of frequent parliaments,” 2. That it is the opinion of the house, that a bill be brought in, that the judges may hold their places and salaries, *Quam diu se bene gesserint*. 3. That it is the opinion of the house, that a bill be brought in, “ against illegal exaction of money from the people, to make it high treason.”

Dec. 20.  
14. p. 196.

After these resolves, each of which discovered their extreme distrust of the court, they thought fit to consider the king’s speech. Many severe reflections were made upon the French ambassador, the French women, the duke, and his creatures, and indirectly, even upon the king himself. At last, they resolved upon an address to the king, by way of answer to his speech, in which they represented:

“ That this protestant kingdom can never be safe, while there is any hopes or expectation of a popish successor; and they beseech his majesty, in his great wisdom, to consider, whether, in case the imperial crown of this protestant kingdom should descend to the duke of York, the opposition which may possibly be made to his possessing it, may not only endanger the further descent in the royal line, but even monarchy itself? They therefore become humble petitioners to his sacred majesty, that in tender commiseration of his poor protestant people, his majesty would be graciously pleased to depart from the reservation in the said speech; and when a bill shall be tendered

“ to

"to his majesty in a parliamentary way, to disable the  
 "duke of York from inheriting the crown, his majesty  
 "will give his assent thereunto; as also to another act,  
 "whereby his protestant subjects may be enabled to as-  
 "sist themselves for the defence of his majesty's person,  
 "the protestant religion, and the security of his kingdom.  
 "———And as some farther means for the preservation  
 "both of their religion and property, they are humble  
 "suitors to his majesty, that from henceforth such persons  
 "only may be judges, as are men of ability, integrity, and  
 "known affection to the protestant religion, and that they  
 "may hold both their offices and salaries, *Quam diu se  
 bene gesserint*. That no one may bear the office of a  
 "lieutenant, but who is a person of integrity and known  
 "affection to the protestant religion. The deputy lieuten-  
 "ants, and justices of the peace, may be also so qualified,  
 "and men of ability, of estates, and interest in their coun-  
 "try. That none may be employed as military officers, but  
 "men of known experience, courage, and affection to the  
 "protestant religion. And these their humble requests be-  
 "ing obtained, they shall, on their part, be ready to assist  
 "his majesty for the preservation of Tangier, and for put-  
 "ting his majesty's fleet into such a condition, as it may  
 "preserve his majesty's sovereignty of the seas, and be for  
 "the defence of the nation." The king gave no answer to  
 this address till about a fortnight after.

While the king and the parliament were united, it was  
 the interest of the papists to promote a toleration of the  
 nonconformists, that they themselves might enjoy the be-  
 nefit under that general denomination. But since the king  
 and the parliament were at variance, the persecution fell  
 upon the papists alone, who were accused of intending to  
 introduce their religion by force. Wherefore, it was their  
 interest to incense the church of England against the presby-  
 terians, and thereby cause a diversion. It cannot be denied,  
 that many of the bishops and clergy fell into this snare, and  
 were pleased to see the court, which always favoured the  
 papists, inclined to persecute the presbyterians. Encouraged  
 by the court, the most zealous of the episcopal way failed not  
 to discover their hatred of the presbyterians, so that at the  
 very time, the papists were accused by the parliament as the  
 authors of all the mischiefs of the kingdom, the presbyterians  
 were attacked, as if it was intended to throw the blame  
 upon them. By this the clergy of the church of England  
 were censured for appearing to favour the designs of the pa-  
 pists.

1680.

Intrigues of  
 the papists  
 to sow dis-  
 sention a-  
 mongst the  
 protestants.  
 Burnet,  
 p. 461, 494.

1680.

Besides, it is certain, that during the contests between the king and the parliament, the clergy in general were attached to the court, and the interests of the duke of York. This was sufficient to revive the complaints of the presbyterians against the church of England, and to charge her with being popishly inclined. Moreover, in the disposition of the court in favour of the papists, ever since the beginning of this reign, or at least since the earl of Clarendon's disgrace, it may easily be imagined, that care had been taken to introduce among the clergy, men of a doubtful religion, and from whom the court had nothing to fear.

The commons favourable to the presbyterians.

Debates, &c. p. 205. Kennet. Richard.

A bill passes both houses in their favour.

A vote of the commons. Debates, &c. p. 220.

Upon all these accounts, the commons thought it highly seasonable at this juncture, to screen the presbyterians from persecution. They found themselves moreover concerned; in that, for the reason before intimated, there were many presbyterians in the house, who to qualify themselves for their election, had taken the oaths, and received the sacrament in the church of England, but who were not for that, the less presbyterians. So, the 21st of December, a bill was read the first time, for uniting the king's protestant subjects. Whilst the rigid episcopalians prevailed in the second parliament of this reign, they had carefully avoided to distinguish the protestant nonconformists from the others, because it was advantageous to them, to make them but one body under the same name. But this parliament which had other views, neglected not to make so natural a distinction. This bill, which perhaps was too indulgent to the presbyterians, meeting with strong opposition in the house, was relinquished for one less advantageous, which exempted the protestant dissenters from the penalty imposed on the papists by the act of the 35th of Elizabeth. This bill passed both houses, but was secretly conveyed away, when it was to be offered to the king for his assent<sup>c</sup>.

The commons concluded the year with this vote, " That no member of the house should accept of any office or place of profit from the crown, without leave of the house; nor any promise of any such office or place of profit during "

<sup>c</sup> On the day of the prorogation, when the bill for repealing the act of the 35th of Elizabeth ought to have been offered to the king, the clerk of the crown, by the king's particular order, withdrew the said bill. The king

had no mind openly to deny it; but he had less mind to pass it. So this indirect method was taken, which was a high offence in the clerk of the crown. Burnet, p. 495.

ing such time as he should continue a member of the 1680-1.  
 "house d."

The king found himself very much at a loss what an-<sup>Different</sup>  
 swer to return to the commons address. His council was <sup>opinions in</sup>  
 divided. Some advised him to return no answer, and to <sup>the council,</sup>  
 use this pretence, that as he had addressed his speech to <sup>Temple's</sup>  
 both houses, he could not consider the particular address <sup>mem. pt.</sup>  
 of one house as an answer to his speech. Others were of <sup>III. p. 353-</sup>  
 opinion, that the king should return a positive answer, be-  
 cause they little cared to keep any measures with the par-  
 liament, but on the contrary, (knowing their management,  
 of the king's affairs, would never be forgiven by the com-  
 mons) they were indirectly doing all they could to engage  
 him to dissolve the parliament, and call no more for the  
 future. Of this opinion were the four principal directors  
 of the king's affairs, namely, Sunderland, Hallifax, mr.  
 Hyde, and mr. Godolphin. When it is considered, that  
 from the beginning of this reign, or at least from the earl  
 of Clarendon's disgrace, there were not only men of these  
 principles always in the council, but that also they were ge-  
 nerally the chief ministers, it can hardly be doubted, that  
 the king himself was likewise of the same principles, though  
 there should be no other proof. It is therefore certain, that  
 the fears of the commons were not groundless. It must  
 be farther remarked, that though the council was divided  
 concerning the manner of answering the commons address,  
 they were agreed as to the thing itself, not one privy coun-  
 sellor being of opinion, that the king should consent to  
 the exclusion of the duke of York.

Though the king at first seemed to approve of the for-<sup>The king's</sup>  
 mer of these two opinions, he suffered himself to be influ-<sup>answer to</sup>  
 enced by the latter, namely, to return a positive answer to <sup>the com-</sup>  
 the commons, which he did in the following manner: <sup>mons</sup>  
<sup>address.</sup>

"His majesty received the address of this house, with <sup>Jan. 4-</sup>  
 "all the disposition they could wish to comply with their <sup>Debates,</sup>  
 "reasonable desires, but upon perusing it, he is sorry to <sup>&c. p. 239.</sup>  
 "see their thoughts so wholly fixed upon the bill of exclu-  
 "sion, as to determine, that all other remedies for the sup-  
 "pressing of popery, will be ineffectual: his majesty is  
 "confirmed in his opinion against that bill, by the judg-  
 "ment of the house of lords, who rejected it. He there-  
 "fore thinks, there remains nothing more for him to say,  
 "in

d This year died John Wilmot, the  
 witty earl of Rochester; Samuel But-  
 ler author of Hudibras; Harry Marten,

one of the regicides; and the famous  
 painter Sir Peter Lely.

1680-1. "in answer to the address of this house, but to recommend  
 "to them the consideration of all other means for the pre-  
 "servation of the protestant religion, in which they have  
 "no reason to doubt of his concurrence, whenever they  
 "shall be presented to him in a parliamentary way: and  
 "that they would consider the present state of the king-  
 "dom, as well as the condition of Christendom, in such a  
 "manner as may enable him to preserve Tangier, and se-  
 "cure his alliances abroad, and the peace and settlement  
 "at home."

Jan. 7.  
 Debates,  
 &c. p. 221.

This answer was not read in the house till three days  
 after, because the commons were employed in drawing up  
 an impeachment against chief justice Scroggs, who was ac-  
 cused of endeavouring to stifle the belief of the plot, dis-  
 couraging the king's evidences, dismissing the grand jury,  
 that should have presented the duke of York, and of un-  
 justly prosecuting several writers and publishers of pam-  
 phlets. In this interval the lords sent to the commons the  
 following vote, "That they declared, and were fully satis-  
 "fied, that there now was, and for divers years last had  
 "been a horrid and treasonable plot, continued and car-  
 "ried on by the Irish papists, for massacring the English,  
 "and subverting the protestant religion, and the antient  
 "established government of that kingdom." The com-  
 mons readily concurred to this vote, and added, "That  
 "the duke of York's being a papist, and the expectation  
 "of his coming to the crown, had given the greatest coun-  
 "tenance and encouragement thereto, as well as to the  
 "horrid popish plot in the kingdom of England."

Jan. 6.  
 Id. p. 230.  
 A vote of  
 the lords,  
 p. 2:8.  
 Kennet.  
 Echard.  
 Approved by  
 the com-  
 mons.

When the king's answer was read in the house of com-  
 mons, it raised great heats and complaints against the lords;  
 for throwing out the bill of exclusion, in complaisance to  
 the king, or because they were awed by his presence. At  
 last, after great debates, they came to these three reso-  
 lutions:

Resolutions  
 of the com-  
 mons upon  
 the king's  
 answer.  
 Debates a-  
 bout the  
 exclus.  
 p. 265.  
 Kennet.  
 Echard.

"1. That it is the opinion of this house, that there is no  
 "security nor safety for the protestant religion, the king's  
 "life, or government of this nation, without passing a bill  
 "for disabling James duke of York, to inherit the im-  
 "perial crown of this realm, and the dominions and ter-  
 "ritories thereunto belonging: and to rely upon any other  
 "means

6 This answer was brought by 'sir William Temple. See his mem. part III.  
 p. 352.

" means and remedies, without such a bill, is not only insufficient but dangerous. 1680-1.

" 2. That his majesty, in his last message, having assured this house, of his readiness to concur in all other means for the preservation of the protestant religion, this house doth declare, that untill a bill be likewise passed for excluding the duke of York, this house cannot give any supply to his majesty, without danger to his majesty's person, extreme hazard of the protestant religion, and unfaithfulness to those by whom the house is intrusted.

" 3. That all persons who advised his majesty, in his last message to this house, to insist upon an opinion against the bill for excluding the duke of York, have given pernicious counsel to his majesty, and are promoters of popery, and enemies to the king and kingdom."

In pursuance of this last vote, the house came to a resolution of presenting to the king, an address, to remove from his person and counsels, George earl of Halifax, Laurence Hyde Esq; Henry Somerset marquis of Worcester, Henry Hyde earl of Clarendon, and Lewis Duras earl of Feversham. Moreover they voted, That whosoever should hereafter lend, or cause to be lent, by way of advance, any money upon the branches of the king's revenue arising by custom, excise, or hearth money, should be judged a hinderer of the sitting of parliaments, and be responsible for the same in parliament.——And that whosoever should accept or buy any tally, or anticipation, upon any part of the king's revenue, should be adjudged as before.

An address from the commons to the king. Debates, See. p. 257. A vote against him. p. 263. Kennet.

The king is in vain pressed to forsake the duke of York.

See, p. 606.

self

The house of commons could hardly carry things any further, and seemed to intend to engage the king in some violent action, which might give an advantage against him. Thus had the parliament of 1640 behaved to Charles I. But Charles II. had one advantage wanted by his father, which was, that he had not, like him, deprived himself of the power to prorogue or dissolve the parliament, and so could whenever he pleased, put an end to the mortifications which were given him. It is true, in such a case he must have contented himself with his ordinary revenue, which, to a prince so prodigal as he, was not easy. It was this, which made his enemies hope, he would come at last to their terms, and consent to the exclusion bill. Indeed, if father Orleans may be credited, the duchess of Portsmouth threw herself at his feet, and prayed him not to ruin him-

1680-1. self for the sake of his brother<sup>1</sup>. Fagel, pensionary of Holland, sent Mr Sidney, the king's envoy at the Hague, a memorial representing, that the king could not support the duke of York, without relinquishing the interests of all Europe.

But this argument made no great impression on the king's mind. On the contrary, these difficulties served only to provoke him the more, so that he resolved to prorogue the parliament. The commons having private notice of this, assembled more early than usual, and, before the king came to the house of lords, the 10th of January, had time to pass the following votes:

Votes of the commons. "1. That whosoever advised his majesty to prorogue the parliament, to any other purpose, than in order to passing a bill for the exclusion of James duke of York, is a betrayer of the king, the protestant religion, and of the kingdom of England, a promoter of the French interest, and a pensioner of France.

"2. That it is the opinion of this house, That the acts of parliament made in the reign of queen Elizabeth, and king James, against popish recusants, ought not to be extended against protestant dissenters.

"3. That it is the opinion of this house, That the prosecution of protestant dissenters upon the penal laws, is at this time grievous to the subject, a weakening the protestant interest, an encouragement to popery, and dangerous to the peace of the kingdom."

The king prorogues the parliament.

These votes were scarce passed, when the king came to the house of peers, and sending for the commons, gave the royal assent to two or three acts of little importance, and then, the chancellor, by his order, prorogued the parliament to the 20th of January.

Addressed by the city of London. Echard, III. p. 607.

Three days after, the lord mayor and common council of London, presented to the king an address, for the sitting of the parliament on the day appointed, that they might effect the great affairs before them. This address served

<sup>1</sup> The true reason, according to Murret, why the duchess of Portsmouth openly declared for the house of commons, and was so hearty for the exclusion, was this: it was proposed to her, that if she could bring the king to the exclusion, the parliament would next press the king to declare the successor to the crown; and as she was absolute mistress of the king's spirit,

she might reckon the king would be prevailed on to declare her son his successor. The duke of Monmouth, who had the same view, joined with her to carry on the exclusion; and they thought they were making tools of one another to serve their own ends, p. 487.  
g One was, an addition to the aid for buying in woolen.

led only to exasperate the king farther. Wherefore, by 1680-1, a proclamation; the 18th of January, he dissolved the parliament. At the same time he summoned another to meet at Oxford the 21st of March, being offended with the city of London.

He dissolves the parliament, and calls one at Oxford.

The ministers and privy counsellors in great difficulties.

Temple's

mem.

part III.

P. 354; 355.

During these contests, the ministers and privy counsellors were not a little embarrassed. They saw the house of commons so attached to the exclusion bill, that nothing else could satisfy them. On the other hand, they knew by experience, that on other important occasions, the king had not shown that firmness which his ministers could have wished, but had abandoned them, and come into the measures of the parliament. This made them fear, the same thing might happen on the present occasion, and therefore, Robert Spencer earl of Sunderland, secretary of state, went off the first, and, contrary to the king's express order, voted for the exclusion bill in the house of lords. The earls of Essex and Salisbury, privy counsellors, did the same, and sir William Temple sufficiently testifies his fear of being exposed to the house of commons. This conduct of some of the privy counsellors, gave the country party hopes, that the king would at last comply if he was warmly pressed.

But that party was disappointed in their expectations. The king, though the king had discovered no great firmness in all his difficulties, yet in the affair of his brother he was ever immovable. Immediately after the dissolution of the parliament, he removed the earl of Sunderland from being secretary, and gave the place to the earl of Conway.

He likewise struck out of the council book, the names of the earls of Essex, Salisbury, Sunderland, and sir William Temple, and in their room put men whose principles were more agreeable to his own. He likewise made some alterations.

The king persists in standing by his brother, ibid.

New provisions amongst the privy-counsellors and judges.

He at first came in to the bill of exclusion, or seemed to do so. The duchess of Portsmouth and others persuaded him to waive the duke of York's right, and accept of an act of parliament in his own favour, like that made in the reign of Henry VIII. by which he should have a power vested in him to dispose of the crown at his death under such restrictions and limitations as should be agreed on. Whether such act was really intended is hard to determine; but it is certain such an offer was made to the king, with a promise of a considerable sum of money, towards the supplying his pressing wants. It

is likewise certain, that king Charles the second was willing to accept of it, till the French court, whose interest it was to support the duke of York, struck up a bargain with the king, to give him more money for refusing, than had been offered him for consenting to the bill of exclusion. Welwood, p. 114, 115.

i Aubrey de Vere earl of Oxford, Philip Stanhope earl of Chesterfield, and Robert Bruce earl of Ailesbury, were sworn privy counsellors, on January the 26th. The lord Craven was likewise made privy counsellor, March 9. Kennet, p. 382.

1680-1. teration among the judges. In a word, by the men whom he advanced, he sufficiently discovered his intention to support the duke of York his brother, let what would be the consequence.

London  
chooses the  
old mem-  
bers.  
Echard,  
III. p. 680.

On the other hand, the contrary party to the court were not idle. The magistracy and common council of London, being of that party, hastened the elections of members to serve in the ensuing parliament, and on the 4th of February chose their old members<sup>k</sup>. The election was no sooner over, than the new representatives were presented with a paper, in the name of the citizens of London then assembled in common hall, containing a "return of their most hearty thanks for their faithful and "unwearied endeavours in the two last parliaments, to "search into and discover the depth of the popish plot; "to preserve his majesty's royal person, the protestant "religion, and the well established government of this "realm; to secure the meeting and sitting of frequent "parliaments; to assert their undoubted rights of petitioning, and to punish such as have betrayed those rights; "to promote the long wished for union of his majesty's "protestant subjects; to repeal the thirty fifth of Elizabeth, and the corporation act; and more especially for "their assiduous endeavours in promoting the bill of exclusion of James duke of York." In fine, they concluded, "That being confidently assured, that they, [the "said members for the city,] will never consent to the "granting any money supply, till they have effectually "secured them against popery and arbitrary power, they "resolved, by God's assistance, to stand by their said members with their lives and fortunes." The example of London was followed by most places in the kingdom, and not only the old members were re-elected<sup>l</sup>, but papers of addresses, like that of London, were presented to them. So, when the elections were over, the king with grief saw, he was going to meet the same parliament he had dissolved.

Burnet,  
p. 496.

Mean while, the king's precaution to call his new parliament at Oxford, gave great uneasiness to the country party. They were desirous that the parliament should sit

at

<sup>k</sup> Sir Robert Clayton, Sir Thomas Plaver, Thomas Pilkington, and Christopher Love. This was the third time as twice being chosen.

<sup>l</sup> There was a hundred and ten new members chosen. See debates about the exclusion, p. 381.

at Westminster, where they were sure of the assistance of the Londoners in case of need. And who knows, whether some did not propose to use, for passing the exclusion bill in the house of lords the same means formerly used to extort from the peers their consent to the bill of attainder against the earl of Strafford? be this as it will, they resolved to use their utmost endeavours to have the place altered, and the parliament removed to Westminster. For this purpose the earl of Essex, attended by fifteen lords<sup>Kennet, p. 383. Echard, III. p. 611.</sup>, delivered a petition to the king, introducing it with the following speech:

May it please your majesty,  
**T**HE lords here present, together with divers other peers of the realm; taking notice, that by your late proclamation your majesty had declared an intention of calling a parliament at Oxford; and observing from history and records, how unfortunate many assemblies have been, when called at a place remote from the capital city; as particularly the congress in Henry the second's time at Clarendon; three several parliaments at Oxford in Henry the third's time, and at Coventry in Henry the sixth's time; with divers others which have proved very fatal to those kings, and have been followed with great mischief on the whole kingdom: and considering the present posture of affairs, the many jealousies and discontents which are amongst the people, we have great cause to apprehend, that the consequences of a parliament now at Oxford, may be as fatal to your majesty and the nation, as those others mentioned have been to the then reigning kings. And therefore we do conceive, that we cannot answer it to God, to your majesty, or the people, if we, being peers of the realm, should not, on so important an occasion, humbly offer our advice to your majesty; that, if possible, your majesty may be prevailed with to alter this, (as we apprehend) unseasonable resolution. The grounds and reasons of our opinion are contained in this our petition, which we humbly present to your majesty."

The petition contained in substance, an enumeration of the mischiefs attending the many late adjournments, prologations, and dissolutions of parliaments, at a time when

m Namely the Duke of Monmouth; the earls of Kent, Huntingdon, Bedford; Salisbury, Clare, Stanford, Shaftsbury; the lords Mordaunt, Evers, Paget, Grey, Herbert, Howard, De la Mere. Kennet, p. 384.

1680-1. his majesty's person, and the whole nation were in such imminent danger from the papists. "And now his majesty had been prevailed to call another parliament at Oxford, where neither lords nor commons could be in safety, but daily would be exposed to the sword of the papists, and their adherents, of whom too many have crept into his majesty's guards: the liberty of speaking according to their consciences, would be thereby destroyed, and the validity of their acts and proceedings left disputable: the straitness of the place no ways admitted of such a concourse of persons, as now followed every parliament; and the witnesses which were necessary to give evidence upon the commons impeachment, were unable to bear the charges of such a journey, and unwilling to trust themselves under the protection of a parliament, that was itself evidently under the power of guards and soldiers. In conclusion, they prayed, that the parliament might, as usually, sit at Westminster, where they might consult and act with safety and freedom."

To this address the king returned no answer, but contented himself with frowning upon the lords who presented it.

Richard.

All this while the two parties were skirmishing in so hot, or rather so violent a manner, with their pens, that no measures were kept. Libels swarmed with impunity. Some pretend, this was a court artifice, to prevent the union of the protestants, and that ill language thrown out against the king and the duke of York, was patiently suffered, in order to cast the blame on the presbyterians, and give the episcopal party occasion to return the imputation of being too much attached to the court. Thus much is certain, this division, which was carefully fomented, turned to the king's advantage, as will hereafter appear. I shall relate upon this subject an affair which then made a great noise.

The affair  
of Fitz  
Harris.  
Kennet,  
p. 386.  
Richard,  
III. p. 612.  
R. Coke,  
Burnet,  
p. 497:

One Fitz Harris an Irish papist, who had free access to the duchess of Portsmouth, and kept a correspondence with her favourite woman Mrs. Wall, and with the confessor of the French ambassador, having received several presents, and particularly one of two hundred and fifty guineas, undertook to prevail with one Edmund Everard, to write a libel against the king. Everard feigned to consent, and appointed a meeting to receive informations, by which his pamphlet was to be framed. But at the same time he communicated the affair to Sir William Waller, and Mr. Smith,

and caused them to be concealed in a place where they might hear what passed between Fitz Harris and him. The next day, being both together in a room, Fitz Harris told Everard, that he should write a libel against the king upon the following heads.

That the king and royal family were papists, and arbitrarily affected from the beginning.

That Charles I. had a hand in the Irish rebellion, and that Charles II. did countenance the same, by preferring Fitz Gerald, Fitz Patrick, and Mount Garret, who were engaged in the said rebellion.

That the act, forbidding to call the king a papist, was to stop mens mouths when he should incline to further popery; which appeared by his adhering so closely to the duke of York's interest, and hindering him from being proceeded against by the parliament, and hindering the officers put in by the duke, to be turned out; and for that the privy counsellors and justices of the peace, who were for the protestant interest, were turned out of all places of trust.

That it was as much in the power of the people to depose a popish possessor, as a popish successor; and seeing there was no hopes that the parliament, when they met at Oxford, could do any good, the people were bound to provide for themselves.

Everard afterwards received these instructions in writing, and drew up his libel, which was injurious to the king, and full of sedition". This libel was to be dispersed by the penny post to the protestant lords, and particularly to the leading presbyterians, whose houses were to be searched in order to find this libel, which was to serve as a proof of a conspiracy formed by the presbyterians against the government. This is what Everard affirmed, and that the whole came from the court. At last, Waller having informed the king of the affair, the king ordered secretary Jenkins to issue out a warrant for apprehending Fitz Harris, and that Waller should execute it. Yet he was no sooner gone, but sir William declared, he was informed by two worthy gentlemen, "That the king was highly offended with him, saying, he had broken all his measures." However, Waller arrested Fitz Harris, and sent him to Newgate.

Here

n It was intitled, The true Englishman speaking plain English.

o Bernet says, Fitz Harris framed the libel himself, and only shewed it

1680-1.

Here, as in the former affair concerning the plot, it is pretended, that Fitz Harris was gained by promises or threats, to depose what has been seen<sup>r</sup>. But before this affair could be fully discovered, Fitz Harris was taken out of Newgate, and sent to the Tower by the king's express order. I shall enter no farther into the particulars of this affair, but content myself with briefly saying, that shortly after the dissolution of the Oxford parliament, when the court began to sail with a prosperous gale, without being controlled by the parliament, Fitz Harris was brought to his trial; that the duchess of Portsmouth owned she had given him money, but merely out of charity; that Fitz Harris continually insinuated, that what he did was by the order of his superiors, and that, after his death, his wife constantly affirmed that the libel was a court trick. In short, he was condemned and executed, whilst the publick could not conceive for what reason an Irish papist had published a libel against the king, if it was not an artifice of the court.

He is sent to Newgate.

Echard,

t. II. p. 614.

The king sends him to the Tower.

March 11.

State trials,

III, p. 226.

He is condemned and executed.

State trials,

III, p. 224.

225.

This affair began in February; and the last parliament had taken cognizance of it, so that the commons had ordered an impeachment against him, and when he was sent to the Tower, declared, that for any inferior court to proceed against him or any other person lying under an impeachment of parliament, is a high breach of the privilege of parliament. He was nevertheless tried, condemned and executed, to the great disappointment of the whigs, who hoped, by his means, to discover the artifices of the court. But the king and his party thought it for their advantage to be rid of a man, who might throw them into difficulties. He was not executed till June, after the dissolution of the Oxford parliament.

The

to Everard, who believing he intended to trepan him, placed witnesses to overhear all that pass; Fitz Harris having the libel with him, all writ with his own hand, Everard went with the paper and informed against him, p. 497. p Cornish, one of the sheriffs of London, going to see him; he desired he would bring him a justice of the peace. Cornish went and acquainted the king with it. Whereupon the secretaries and some privy counsellors were sent to examine Fitz Harris; to whom he gave a long relation of a design to kill the king, in which the

duke of York was concerned, with many other particulars; but it was all a fiction. The secretaries came to examine him farther a second time: he boldly stood to all he had said, and desired that some justices of the city might be brought to him. So Clayton and Treby came; to whom he made in all points the same pretended discovery over again. So that there was no colour for what was afterwards advanced, namely, that Clayton and Treby had practised on him. *Idea*, p. 498.

The meeting of this parliament was universally expected with the utmost impatience, and by the king, with great uneasiness, foreseeing the storm that was gathering. He repaired to Oxford seven or eight days before the opening, and as the suspicions and fears of the whig party were then at the utmost height, it was thought, the king went so soon to Oxford, on purpose to take measures beforehand, for rendering himself master of the parliament. Accordingly, the members manifestly showed their fears of some violence, by going thither attended with armed retinues. Those for the city of London in particular came with a numerous body of well armed horse, having ribbands in their hats, with these words woven in them. **NO POPERY! NO SLAVERY!** The parliament meeting the 21st of March, the king made the following speech to both houses <sup>9</sup>.

1689-1.  
The king comes to Oxford before the time.  
March 14.  
Kennet, p. 384.  
Mutual suspicions.  
Echard, III. p. 616.

My lords and gentlemen,

**T**HE unwarrantable proceedings of the last house of commons, were the occasion of my parting with the last parliament; for I, who will never use arbitrary government myself, am resolved not to suffer it in others. I am unwilling to mention particulars, because I am desirous to forget faults; but whosoever shall calmly consider what offers I have formerly made, and what assurances I renewed to the last parliament; how I recommended nothing so much to them as the alliances I had made, for the preservation of the general peace in Christendom, and the further examination of the popish plot, and how I desired their advice and assistance concerning the preservation of Tangier; and shall then reflect upon the strange unsuitable returns made to such propositions, by men that were called together to consult; perhaps may wonder more, that I had patience so long, than that at last I grew weary of their proceedings. I have thought it necessary to say thus much to you, that I may not have any new occasion given me to remember more of the late miscarriages: it is much my interest, and it shall be as much my care as yours, to preserve the liberty of the subject, because the crown can never be safe when that is in danger: and I would have you likewise be convinced, that

neither

<sup>9</sup> The lords sat in the gallery of the publick schools, and the commons in the convocation house.

1680-1. " neither your liberties nor properties can subsist long, when  
 " the just rights and prerogatives of the crown are invaded,  
 " or the honour of the government brought low, and, in-  
 " to dis-reputation.

" I let you see, by my calling this parliament so soon,  
 " that no irregularities in parliaments shall make me out  
 " of love with them; and by this means, offer you an-  
 " other opportunity of providing for our security here, by  
 " giving that countenance and protection to our neighbours  
 " and allies, which you cannot but know they expect from  
 " us, and extremely stand in need of at this instant; and  
 " at the same time give one evidence more, that I have  
 " not neglected my part, to give that general satisfaction  
 " and security, which, by the blessing of God, may be  
 " attained, if you, on your parts, bring suitable dispositions  
 " towards it: and that the just care you ought to have of  
 " religion, be not so managed and improved into unneces-  
 " sary fears, as to be made a pretence for changing the  
 " foundation of the government. I hope the example of  
 " the ill success of former heats, will dispose you to a bet-  
 " ter temper; and not so much to inveigh against what is  
 " past, as to consider what is best to be done in the present  
 " conjuncture, the further prosecution of the plot; the  
 " trial of the lords in the Tower; the providing a more  
 " speedy conviction of recusants; and, if it be practicable,  
 " the ridding ourselves quite of that party, that have any  
 " considerable authority or interest among them, are things,  
 " though of the highest importance, that hardly need to  
 " be recommended to you, they are so obvious to every  
 " man's consideration, and so necessary to our security. But  
 " I must needs desire you, not to lay so much weight up-  
 " on any one expedient against popery, as to determine,  
 " that all others are ineffectual; and among all your cares  
 " for religion, remember, that without the safety and dig-  
 " nity of the monarchy, neither religion nor property can  
 " be preserved.

" What I have formerly and so often declared, touching  
 " the succession, I cannot depart from. But to remove  
 " all reasonable fears that may arise from the possibility of  
 " a popish successor's coming to the crown, if means can  
 " be found, that in such a case, the administration of the  
 " government may remain in protestant hands; I shall be  
 " ready to hearken to any such expedient, by which the  
 " religion may be preserved, and the monarchy not de-  
 " stroyed. I must therefore earnestly recommend to you, to  
 " provide

“ provide for the religion and the government together, 1680-1.  
 “ with regard to one another, because they support each  
 “ other : and let us be united at home, that we may reco-  
 “ ver the esteem and consideration we used to have abroad.  
 “ I conclude with this one advice to you, that the rules and  
 “ measures of all your votes may be the known and esta-  
 “ blished laws of the land ; which neither can, or ought to  
 “ be departed from, nor changed, but by act of parliament :  
 “ and I may the more reasonably require, that you make  
 “ the laws of the land your rule, because I am resolved they  
 “ shall be mine.”

The commons returning to their house, chose for speak-  
 er, William Williams of Gray's-Inn, who had been  
 speaker the last parliament, and the king approved of the  
 choice.

After the commons had spent three days in chusing their  
 speaker, and taking the usual oaths, a motion was made <sup>to print the</sup>  
 for printing the votes, and approved, notwithstanding the <sup>votes.</sup>  
 opposition of secretary Jenkins. As the secret design of the <sup>Debate</sup>  
 commons was to let the people see the necessity of the <sup>about the</sup>  
 exclusion bill, they were desirous to acquaint them with their <sup>question,</sup>  
 proceedings in that affair, that they might not be deceived <sup>P. 297.</sup>  
 by general accounts of it. For a contrary reason, the king <sup>Kennet,</sup>  
 was unwilling the people should know all the circumstances. <sup>P. 386.</sup>  
 But his party was not strong enough to prevent it, and from  
 that time the votes of the commons have been printed, to  
 the great profit of the speaker.

In the second place, a motion was made to enquire into <sup>Debates, &c.</sup>  
 the miscarriage of the bill for the repeal of the act of the <sup>P. 300, 337.</sup>  
 35th of Elizabeth, how it came to be slipt over in the late  
 parliament, and not presented for the royal assent ? “ Which,  
 “ (said the mover,) I look upon as a breach of the consti-  
 “ tution of the government.” But the further debate of  
 this matter was adjourned to the next day.

Thirdly, a motion was made to bring in a bill to ex- <sup>Id. p. 301.</sup>  
 clude the duke of York from the succession. Secretary  
 Jenkins warmly opposed it, because, as he said, the king  
 had given his vote against it. But he was answered, that  
 the king had as strongly declared, that he would never de-  
 part from his declaration for liberty of conscience ; and  
 yet, upon reasons given him by the house, he was persuaded  
 to revoke it. Though the debates upon this subject were  
 very warm, the house came to that temper, as to agree,  
 that in order to pay the king all the respect that might be,  
 they would set apart a time to consider of expedients, and  
 accordingly,

1680-1. accordingly they appointed saturday the 26th for the debate of them.

Id. p. 310,  
dec.

Fourthly, they examined the affair of Fitz Harris, and his libel, and thought the matter so full of knavery and subtilty, and of that consequence to the publick, that they resolved to impeach Fitz Harris of high treason, in order to discover the bottom of this mystery, and lay open the artifices of the court. Secretary Jenkins, the king's man in that house, was ordered to carry up the impeachment to the lords. He refused at first, but being threatened by the house, he at last complied. At the same time it was ordered, that sir William Waller should have the thanks of the house for his discovery of Fitz-Harris.

1681.

Expedients  
to prevent  
the bill of  
exclusion.  
Expedients  
proposed in-  
stead of the  
bill of ex-  
clusion.  
Echard,  
III. p. 620.

The 26th of March, the day fixed for examining the expedients which should be proposed to prevent the exclusion bill, a paper was read in the house, of which this is the substance.

“ 1. That the duke of York be banished, during his life, five hundred miles from England, Scotland, and Ireland, and the dominions and territories to them belonging. 2. That the whole government both ecclesiastical and civil, shall, upon the demise of the king, be vested in a regent, for such time as the duke of York shall survive. 3. That the regent be the princess of Orange; and in case of her decease without issue, or with issue in minority, then the lady Anne. 4. That if the duke have a son educated a protestant, then the said princesses respectively, shall succeed in the regency, during the minority of such son, and no longer. 5. That the regent do nominate the privy council, and they to be, or not to be approved by parliament, as shall be judged safest, upon directing the drawing up of this intended act. 6. That notwithstanding these kingdoms (out of respect to the royal family and monarchy itself) may be governed by the said regent, in the name and stile of James the second, &c. yet it shall be made capital for any to take up arms on his behalf, or by his commission, not signed by the said regent, or granted by lawful authority derived from, and under such regent; or to maintain an opinion, that the retaining the said name and stile, shall in this case purge the

“ disa-

It is to be observed, that the duke and his party declared themselves more against the limitations than a-  
gainst the exclusion itself. Burnet, p. 462.

“ disabilities imposed by this act, or elude the force there-  
 “ of. 7. That commissioners be forthwith sent to the  
 “ prince and princess of Orange, to take their oaths, that  
 “ they will take upon them the execution of this act, and  
 “ that their oaths be here recorded. 8. That all officers,  
 “ civil or military, forthwith take oaths to observe this act,  
 “ from time to time, as in the act for the test. 9. That  
 “ his majesty would graciously declare to call a parliament  
 “ in Scotland, in order to passing the like act there, and  
 “ recommending the same, and the like to be done in Ire-  
 “ land, if thought necessary. 10. That in case the said  
 “ duke shall come into any of these kingdoms, then shall  
 “ he be ipso facto excluded, and shall suffer as in the former  
 “ bill, and the sovereignty shall be forthwith invested in  
 “ the regent, upon such his coming into any of these king-  
 “ doms. 11. That all considerable papists be banished by  
 “ name. 12. That all their fraudulent conveyances be de-  
 “ feated. 13. That their children be educated in the pro-  
 “ testant religion.”

The house was so little inclined to the expedients to pre-  
 vent the exclusion bill, that they found in them, however  
 rigorous they were against the duke, more difficulties than  
 in the bill itself. So, after divers fruitless debates, allowed  
 only for form sake, the house resolved to adhere to the bill  
 of exclusion, which had passed the commons in the last par-  
 liament, and this bill was ordered to be brought in the next  
 Monday.

The commons had scarce finished this great affair, when  
 they were told, the lords had rejected Fitz Harris's im-  
 peachment, and ordered that he should be prosecuted at  
 common law. Several members exclaimed against this  
 pretended injustice, and its consequences, and at last the  
 house voted,

“ 1. That it is the undoubted right of the commons in  
 “ parliament assembled, to impeach before the lords in par-  
 “ liament, any peer or commoner, for treason, or any other  
 “ crime or misdemeanor. And that the refusal of the lords  
 “ to proceed in parliament upon such impeachment, is a  
 “ denial of justice, and a violation of the constitution of  
 “ parliaments.

“ 2. That in the case of Edward Fitz Harris, who by  
 “ the commons had been impeached of high treason before  
 “ the lords, with a declaration, that in convenient time,  
 “ they would bring up the articles against him, for the lords  
 “ to resolve, that the said Fitz Harris shall be proceeded

“ with

1681.

“ with according to the course of common law, and not by  
 “ way of impeachment at this time, is a denial of justice,  
 “ and a violation of the constitution of parliaments, and an  
 “ obstruction to the farther discovery of the popish plot,  
 “ and of great danger to his majesty's person, and the pro-  
 “ testant religion.

“ 3. That for any inferior court to proceed against Ed-  
 “ ward Fitz Harris, or any other person lying under an im-  
 “ peachment in parliament, for the same crimes for which  
 “ he or they stand impeached, is a high breach of the pri-  
 “ vilege of parliament.”

The bill of  
 exclusion  
 read.  
 Debates, &c.  
 p. 351.

The 28th of March, the exclusion bill was brought into the house and read. After the reading, sir Leoline Jenkins alone spoke against it. He repeated some of his former reasons, as that this bill condemned a man unheard, was directly contrary to the wisdom and justice of the nation, and tended to introduce a new form of government. “ If (con-  
 “ tinued he) the duke will try to cut this law with his  
 “ sword, if he overcome, he will have the same power to  
 “ set aside all laws, both for religion and property; the  
 “ power will be in the hands of the conqueror, &c.” Some  
 raileries passed upon him for not being seconded, after which the bill was ordered a second reading.

The parlia-  
 ment dissol-  
 ved.  
 Burnet,  
 Debates, &c.

The house of commons was resuming the debate about Fitz Harris, when on a sudden, the usher of the black rod commanded their attendance in the house of lords, where they found the king in his robes, who told them—“ He per-  
 “ ceived there were great heats between the lords and com-  
 “ mons, and their beginnings had been such as he could ex-  
 “ pect no good success of this parliament, and therefore  
 “ thought fit to dissolve them.” Accordingly, the chan-  
 cellor declared the parliament dissolved.

The

“ The commons, it seems, resolving to take the management of Fitz Harris's affair out of the hands of the court, carried to the lords bar an impeachment against him, which was rejected by the lords, on a pretence that the lord Nottingham furnished them with. It was this: Edward III. had got some commons to be condemned by the lords. Of which when the house of commons complained, an order was made, that no such thing should be done for the future. Now that related only to proceedings at the

king's suit: but it could not be meant, that an impeachment from the commons did not lie against a commoner. Judges, secretaries of state, and the lord keeper, were often commonsers: so, if this was good law, here was a certain method offered the court to be troubled no more with impeachments, by employing only commonsers. In short, the peers saw the design of the impeachment, and were resolved not to receive it. So they made use of this colour to reject it. Burnet, p. 498.

The king, who was prepared beforehand for what he had done, immediately took coach, and drove with all speed to Windsor, and the next morning to Whitehall, seeming extremely pleased that he had thus made his escape from the designs of the commons. This parliament, which sat but seven days, was the fifth and last of this reign.

1681.

Kennet,

p. 387.

Echard,

III. p. 629.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

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Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

III. p. 299.

The king

governs ar-

bitrarily.

Burnet.

Echard,

From this time, the king, during the rest of his life, governed not only without a parliament, but with an absolute power. When he saw himself out of the reach of the parliament, he entirely threw away the mask of dissimulation, and showed, that the popish plot, the prosecution whereof he had lately recommended so earnestly to the parliament, appeared to him but a mere chimera, or at least, he did not think it near so dangerous as he would have had it believed. The four lords, prisoners in the Tower, whom he would have sacrificed to the parliament, appeared innocent to him. But what was still more remarkable, even to the end of this reign, was, that the king grew as sanguinary, as he had hitherto appeared merciful, and that as soon as he had the power in his hands, he made his enemies feel the most terrible effects of his vengeance. In a word, he clearly discovered by his conduct, that he was entirely in the principles of despotick power, and had only dissembled his sentiments in his speeches to his parliament, because he judged such dissimulation proper to conduct him to the end proposed to himself, from the first years of his reign.

The reader must be astonished to see a king, who had received so many mortifications from his parliaments, who had been so often obliged to comply and feign opinions he had not, on a sudden become absolute master of his kingdom, without fleet, without army, without foreign assistance, without money, but that of his ordinary revenue, after many years fruitless labours to accomplish his designs. It is therefore absolutely necessary to unfold the causes of so surprising a revolution.

By the artifices of the court, and the natural inclination of many Englishmen, the kingdom was divided into whigs and Tories. This division was so carefully fomented by the court and the popish party, that at last it became very great. To render the two parties irreconcilable, it was insinuated to the episcopalians, of whom the majority were Tories, that both church and monarchy were in danger, and that the scene of forty one was going to be revived. That the presbyterians, under colour of providing for the preservation of liberty, really intended the destruction of the church, and the introduction

The causes

which put

the king in-

to the pos-

session of

absolute

power.

1681. duſtion of preſbyterianiſm, in order to which, they were purſuing the ſame courſe they had taken in 1640, and the following years, by undermining the foundations of the monarchy, for the more eaſy ſubverſion of the church. Theſe inſinuations had the greater effect, as what had once happened, and whereof the memory was ſtill freſh, might happen again; and I know not, whether it may not juſtly be doubted, that ſome of the preſbyterians had ſuch a thing in view. This was ſufficient to awaken the old animofities between the church of England and preſbyterianiſm. The episcopaliſians, terrified with the proſpect of falling into the ſame ſtate, from which they had been almoſt miraculoſly delivered, conſidered the introduction of popery, with which they were alarmed, as a diſtant and uncertain evil, and the eſtabliſhment of preſbyterianiſm, as certain and preſent. It is even very probable, that many, whoſe paſſions were violent, looked upon popery as the leſs evil. In this belief, they threw themſelves as it were deſperately into the court party, without conſidering, that the duke of York, whoſe cauſe they eſpouſed, was no better affected to them than to the preſbyterians. Paſſion made them forget the intereſt of the proteſtant religion, in order not to be once more under the preſbyterian yoke. On the other hand, the three laſt parliaments, compoſed, as I obſerved, of men well affected to preſbyterianiſm, proceeded with too little caution, and diſcovered too haſtily or too openly their deſigns with regard to religion. By that they gave the court party an opportunity of uniting with the episcopaliſians, and of joining together the intereſts of religion and the monarchy. From that time, the tories were ſo well pleaſed with this union, that they would never hear of ſeparating theſe two intereſts, but once, under James II. when there was no poſſibility of keeping them united, without endangering the conſtitution in church and ſtate. The whigs, on their ſide, having ſince perceived, what advantages the tories received from this union, ſeem to have moderated their pretenſions with reſpect to religion, contenting themſelves with procuring the preſbyterians a bare liberty of conſcience. But the tories not truſting to this moderation, conſider it as a ſnare and an artifice to ſeparate the intereſts of religion from thoſe of the ſtate; for in this union the ſtrength of the tory party wholly conſiſts. I have perhaps wandered a little too far from my ſubject, in ſpeaking of theſe two parties, with regard to what has happened ſince the reign of Charles II. But I hope the reader will not be diſpleaſed with this general idea. I return now to the

the transactions after the dissolution of the Oxford parliament.

The protestants being thus divided, and the court strengthened with the church, the tory party was composed of all the rigid episcopalians, mortal enemies of the presbyterians, of all the papists, and those to whom all religions were indifferent, and whose expectations were centered in the court. It may be affirmed, that the number of these last was never greater in England, the king having incessantly laboured to increase it, whether through inclination, or because he depended on such as his firmest friends. The whig party consisted of all the presbyterians, and of some churchmen, who were more attached to the interests of the state and the protestant religion in general, than to the church of England in particular. But the city of London was the chief strength of this party, whose magistrates were entirely devoted to it. Things standing thus, the king believed, he should run no great hazard in dissolving the Oxford parliament, reckoning, he had a party in the kingdom strong enough to resist, and even subdue his enemies, when they should be no longer supported with the authority of a parliament. Mean while, not to alarm the nation by a too hasty discovery of his intentions as to his future government, he contented himself at present with publishing a declaration, containing his reasons for dissolving the two last parliaments. I shall not insert the declaration here, because every reader, who remembers what has been said, will easily comprehend wherein consisted the king's complaints. I shall only say in a word, that the king supposed as undeniable, that he had no other aim than to procure the good of his people, and that the commons, actuated by a spirit of cabal and sedition, only sought to shake the foundations of the monarchy, and invest themselves with arbitrary power, by all their proceedings, which he largely set forth. He positively declared, that no irregularities in parliaments should ever make him out of love with them: and therefore he was resolved to have frequent parliaments, and both in and out of parliament, to use his utmost endeavours to extirpate popery<sup>t</sup>.

Several pamphlets appeared, as well against the dissolution of the parliament, as against the declaration. It was said upon the first, that though the king pretended, that he dissolved

A declaration of the reasons for dissolving the two last parliaments. April. Kennet, p. 388. Echard, III. p. 624. Burnet.

<sup>t</sup> This declaration, however smooth and fair, was by no means popular. Some thought it nothing but a torrent of words. Others had a worse opi-

nion of it, as a stretch of prerogative, and a professed insult upon the late members of both houses. Kennet, p. 389.

1681. solved the parliament on account of the votes passed the same day about Fitz Harris, yet the duchess of Mazarine published the news at St. James's many hours, before it was done. As to the declaration, it was said to be of no validity, of French extract<sup>a</sup>, and to have several manifest gallicisms in it, particularly that expression [it was a matter extremely sensible to us] a form of speech peculiar to the French, and unknown to any other nation. But the king little regarded such libels<sup>v</sup>.

Flattering  
addresses,  
Echard,  
III. p. 627.  
Burnet,  
p. 500.

favourably  
received by  
the king.

Who dis-  
courages any  
others.

The declaration having been published and read in the churches<sup>x</sup> by the king's order, addresses flowed from all parts, approving the dissolution of the parliament, and in general, the king's whole conduct. Not content with thanking the king, these addresses were even filled with invectives against the late house of commons. One of these addresses<sup>y</sup> being presented at the king's bench as a publick libel, by the grand jury of Middlesex, the court took no notice of it. We may easily judge who presented these addresses, by what has been said. They became so much in vogue, that the smallest corporations feared the resentment of the court, if they neglected to address. The king received them all very graciously, and distinguished those that brought them with particular marks of his favour. But as some of the other party ventured to present addresses of a very different stile, the king either refused, or received them, with evident signs of his displeasure. Some of the aldermen and common council of London presenting an agreeable address, were received very kindly. But the lord mayor, recorder, and some others of the common council, waiting on him at Windsor, with a very different petition, were denied admittance, and ordered to attend the council at Hampton-court, where they received a reprimand from the lord chancellor. It was how-  
ever

<sup>a</sup> Though the king did not communicate this declaration to the council till April 8, yet Mr. Barillon, the French ambassador, did not only read it to a gentleman the 5th of April, but advised with him about it, and demanded his opinion of it. *Vindicat. &c.* by Sir W. Jones, p. 394.

<sup>v</sup> The answer to the king's declaration, entitled, "A just and modest vindication of the proceedings of the two last parliaments," was writ with great spirit and true judgment. It was at first penned by Ahernoon Sidney: but a new draught was made by John Somers, Esq; and corrected, by

Sir William Jones. Burnet, p. 500.

<sup>x</sup> When this declaration passed in council, the archbishop of Canterbury moved that an order should be added to it, requiring the clergy to publish it in all the churches of England. Accordingly, such an order came out, dated April 8. This was looked upon as a most pernicious precedent, by which the clergy were made the bearers to publish the king's declarations, which in some instances might come to be not only indecent but mischievous. Burnet, p. 500.

<sup>y</sup> That from Norwich, which ran the highest for the prerogative.

ever pretended, that these loyal addresses, as they were called, expressed the sentiments of the people in general, tho' they came but from one of the parties. But what may make it presumed, that the king did not much depend upon the people, notwithstanding these numerous addresses which weekly filled the gazettes, is, that he never after dared to call a parliament to the end of his reign, a sure sign, that he feared the elections would not be favourable to him. For if these addresses had expressed the general sense of the people, what could have hindered the king from calling a parliament, which, to judge by these addresses, must have been devoted to him.

The king was not satisfied with discouraging those who would have presented disagreeable addresses to him, but also silenced and imprisoned the news-writers which were not of his party\*, while others had liberty to publish daily invectives against the whigs, and the late parliaments.

Shortly after the dissolution of the parliament, the king made Charles Lenos duke of Richmond, his son by the duchess of Portsmouth, knight of the garter at nine years of age. Laurence Hyde, esq; was created viscount Hyde of Kennelworth; and lord chancellor Finch earl of Nottingham.

Notwithstanding the vote of the commons on the account of Fitz Harris, he was indicted of high treason at the king's bench bar, tried, condemned, and executed. It is pretended, that he confessed to the chaplain of the Tower, that there was a design laid by the protestant party to seize the person of the king, and imprison him, till he had consented to what should be desired of him, and that he mentioned many particulars. Others pretend, this confession was forged, or only made to save his life. Indeed it is not easy to imagine, that so many protestants, engaged, as was pretended, in this plot, would communicate their designs to an Irish papist. Nor is it less difficult to conceive, why his execution was hastened, since he might have served for evidence of the plot, about which, however, there was no farther inquiry.

The

\* Particularly the publishers of the paper called domestic intelligence, &c. The other papers here mentioned, containing invectives against the whigs, were, L'Estrange's observators, and Heraclitus Ridens.

a Fitz Harris was prevailed upon,

through the management of dr. Hawkins minister of the Tower, to make this confession. Hawkins was, for this good piece of service done the court, rewarded with the deanery of Chichester. Burnet, p. 504.

1681:

And Oliver  
Plunket.  
State trials,  
III. p. 297.  
Echard.  
Burnet.

The earl of  
Shaftsbury  
sent to the  
Tower,  
July 2.  
Burnet.  
Kennet,  
p. 390.  
Echard,  
III. p. 634  
and others.

The grand  
jury of  
London fa-  
vourable to  
protestants.  
Ibid.

Ibid.

Colledge  
indicted of  
high trea-  
son.  
Acquitted.

The same day that Fitz Harris was executed, Oliver Plunket, the popish titular primate of Ireland, suffered the same punishment for contriving, with the court of France, to raise an insurrection in Ireland. Some pretend, he was condemned unjustly, and upon false evidence <sup>b</sup>. I know not what there is in it, but from this time forward no agreement is to be expected amongst the historians, in the relation of the same facts. It is always with some addition, which plainly discovers the party they espouse.

Thus much is certain, that the king delayed not to be revenged of some of those who had been against him. The earl of Shaftsbury was sent to the Tower the beginning of July. He was now called the protestant earl, in derision of his having appeared more zealous than any other lord in support of the protestant party, and from hence it may be easily judged, who gave him that name. The same day, the king also sent to the Tower some persons of a much inferior rank, as Rouse, Hayns, White, and one Colledge a joyner of London, who had been very strenuous for the whigs, while that party was supported by the parliament. He was also called the protestant joyner, for the name of protestant was become the nickname of those who had most opposed the king and the papists. The adherents of the court, on the other hand, pretend, that the whig party in London, perceiving the court began to be revenged upon their enemies, had found means, with the assistance of Cornish and Bethel, sheriffs of London, and zealous whigs, to secure grand juries entirely at their devotion, so that, to defeat the efforts of the court, these juries were to return ignoramus upon all bills brought against any of the party, and therefore obtained the name of ignoramus. But we are not to require any proofs of this supposition. The historians of the court party content themselves with affirming, as a thing beyond doubt, that the grand jury of London was resolved to return ignoramus upon all bills against their friends, and we must take their word for it, though it seems to be supported only by the rumours of their own party.

However, the court began their revenge with Colledge the joyner, and for that purpose a bill of indictment of high treason against him was delivered to the grand jury of London, who, not finding it well grounded, threw it out with

an

<sup>b</sup> The witnesses against him were  
brutal and profligate men, who had  
been censured by him for their lew-  
dness. Burnet, p. 302.

an ignoramus<sup>c</sup>. This caused an universal joy in London, 1681. and was looked upon as a sort of triumph. But the court was resolved to proceed against Colledge with the utmost severity. For this purpose, on pretence of certain words said to be spoken by Colledge at Oxford, he was ordered to be removed to that city, and there tried and condemned. But Kennet, not to be disappointed, as they had been at London, the king's council came to Oxford, and were shut up with the grand jury, till they had persuaded them to find the bill. This is at least a fact which has been often objected, and publicly and openly maintained, without having been denied. Be this as it will, Colledge was carried to Oxford, and tried at the assizes, upon the evidence of Dugdale and Turbeville, who had been the witnesses in the trial of the lord Stafford. It is not possible to read the particulars of this trial, the partiality of the judges<sup>d</sup>, and the depositions of the witnesses, without discovering a settled design for the destruction of this man, who was condemned and executed as a traitor<sup>e</sup>. He died, protesting his innocence and ignorance of any plot but the popish. The court's resentment against this man shewed itself so manifestly, that he was considered as the first martyr for the protestant cause. The writers, even the most devoted to the court, dare not positively affirm, he was guilty. They content themselves with leaving the thing doubtful, after endeavouring however, by the turn they give to their account, to insinuate a belief that he was not innocent.

The same day that Colledge was executed, dr. Oates was by order of council turned out of Whitehall, with a command not to come within the verge of the council chamber. Indeed, he was no longer wanted, at a time when not only the popish plot was ridiculed, but a design formed of being revenged on those who had been most zealous to support the belief of it, and of improving a new protestant plot.

The time for electing the sheriffs of London being come, Thomas Pilkington and Samuel Shute, both whigs, were chosen in the room of Bethel and Cornish, which was very disagreeable to the court. But on Michaelmas day they had

<sup>c</sup> Mr. Wilmore, the foreman, was, April 16, examined before the council, sent to the Tower, and afterwards forced to fly beyond sea. Kennet, p. 389. Hawles, p. 20.

<sup>d</sup> The judges were chief justice North, justice Jones, justice Raymond, and justice Levins. Rapin says by

mistake, that Jefferies was one of the judges, but he was only one of the king's council.

<sup>e</sup> The greatest hardship put upon him, was the taking away from him his memorandums, and instructions for his defence, just as he was coming to his trial. See his trial.

1681, 2.

It appears from what has been said, that the whig party mostly consisted of professed presbyterians, or of men inclined to presbytery, though they professed the established religion. That is to say, the times of James I. and Charles I. were returned, when every man who was not of the court party and a furious tory, was a presbyterian. The king finding his authority sufficiently established since the dissolution of the Oxford parliament, resolved entirely to ruin his enemies the whigs, and consequently the presbyterians. To this end, he ordered, that the nonconformists should be rigorously prosecuted, which discovered his motive for conveying away in the house of lords the bill to repeal the act of the 35th of Elizabeth, at the very time it was going to pass into a law. For if this bill had not vanished, no advantage could have been taken against the presbyterians. This order of the king occasioned a violent persecution against the dissenters. Since the dissolution of the last parliament, all the magistrates, judges, justices of the peace, governors, and lord lieutenants, had been changed, and the most violent tories put in their places. It may easily be imagined, with what joy and zeal these men executed the laws against the presbyterians, which had been suspended for some years. The clergy particularly distinguished themselves by showing their attachment to the principles and maxims of the court. The pulpits resounded with the doctrine of passive obedience and non-resistance, which had been espoused by a few in the reign of Charles I. but was now universally preached. The clergy seemed to make it their business to surrender to the king all the liberties and privileges of the subjects, and to leave them only an unlimited obedience. According to the principles publickly preached, no eastern monarch was more absolute

Passive  
obedience  
every where  
preached up.

thought it was better to have no act at all than such a clause in it. For this reason; when he came to explain himself concerning the taking the test in his own sense, his words were construed as a defaming and a spreading of lies of the proceedings of parliament, which was capital. Accordingly he was tried and condemned. No sentence, says Burnet, in our age, was more universally cried out upon than this. All spoke of it, and the duke who drove it on, with horror. All that was said to lessen the horror was, that duke Lauderdale had restored the family with such an ex-

tended jurisdiction, that he was really the master of all the highlands. This, as the duke wrote to the king, was all he intended by it, as lord Halifax assured Burnet. Though a person of quality, whom lord Argyle never named, affirmed to him, on his honour, that he heard one in great favour say to the duke, the thing must be done, and that it would be easier to satisfy the king about it after it was done, than to obtain his leave for doing it. For which reason lord Argyle made his escape out of the castle in a disguise. Burnet, p. 516, 520, 521.

absolute than the king of England. This doctrine was supported in the courts of justice, by all the judges and lawyers, to the utmost of their power. All this was followed with numberless petitions and addresses, wherein the association, and the principles from which it flowed, were utterly abhorred. This association which had occasioned the persecution against the dissenters, was but a chimera, and entirely founded on the paper found in the earl of Shaftsbury's closet, without even a possibility of knowing whether it was an original or a copy. But any man's thinking of associating the subjects against the king, was sufficient, according to the current principles, to charge the whole whig party, as guilty of the greatest crime imaginable. I shall not transcribe these addresses. It suffices to say in a word, that they supposed the king of England as absolute as it is possible to devise. Thus the violent tories who then prevailed in the corporations, were not satisfied with persecuting the presbyterians, but also made the king an arbitrary and absolute monarch, as if there had been no other expedient to save the church of England from the attempts of the presbyterians.

The duke of York returned from Scotland, the beginning of March, and was received by the king with all possible signs of affection. At the same time came a letter to the king from Scotland, subscribed by seven bishops, full of the duke of York's praises, and of the happiness enjoyed by the church of Scotland, under his administration. So that it was not the fault of these prelates, that the duke, though most zealous for the popish religion, was not respected as the principal support and protector of the protestant church.

After two months stay in England, the duke returned to Scotland to bring his family from thence. He went by sea, but by an unexpected accident, the ship, though the weather was fair, struck upon the sand called the Lemon and Oar, and in a little time had above seven feet water in the hold. This obliged him to put off in his pinnace, with as many persons as it would hold, and to save himself on board the Mary yacht. It is pretended, he himself named the persons whom he would have in the boat with him, and that some priests and jesuits were preferred to several persons of quality, who were unfortunately drowned, with a hundred and thirty seamen, the ship sinking soon after the duke put off. But I will not warrant this circumstance, which perhaps is only

The duke of York returns. Kennet, p. 392. Echard, III. p. 653. 656.

1682. Goes back into Scotland, and runs a great danger. May 5. Burnet, p. 523. Kennet, p. 395. Echard, Life of James II. p. 67.

1682. only a report spread by his enemies<sup>1</sup>. The duke made but a short stay in Scotland. He departed within a few days for England, where he continued, the rest of this reign, with great influence over the actions and counsels of the king his brother. To him is generally ascribed the rigour with which the king treated his enemies the remaining part of his reign. It is said, the king being one day importuned by the duke to undertake things which he thought very dangerous, told him, "Brother, I am resolved never to travel again, you may do so, if you please."

Returns  
back to  
England,  
where he  
grows very  
powerful.  
Echard,  
III. p. 657.

Though, supported by the court and the magistrates, the tory party had the advantage, the whigs however were not discouraged, in the expectation of causing some turn by informing the people in pamphlets of their danger from the court. These pamphlets were numberless, and new ones daily appeared, to attack or defend. That which made the greatest noise was, the life of Julian the apostate, in which a parallel was drawn between that prince and the duke of York. The necessity of the exclusion was shown, and passive obedience exploded as a mahometan doctrine. This book did but exasperate the patrons of passive obedience. They took occasion from thence to carry the doctrine so high, that when, in the reign of James II. restrictions became necessary, they knew not how to make them, and many even persisted in supporting this doctrine, rather than own they had been in the wrong to carry it to such a height.

Pamphlets  
against the  
court.  
Id. p. 658.

A remark  
upon the  
doctrine of  
passive  
obedience.

To demonstrate, that to this time must be fixed the date of the birth, or at least of the great progress, of the doctrine of passive obedience, it needs only to be considered, that the second parliament of this reign, though chiefly composed of rigid church of England men, devoted entirely to the king, after having by acts established such principles as led to passive obedience, readily departed from it, when the court, as they believed, intended thereby to introduce an arbitrary government. This shows their design was not to establish such a government. But in 1682, the time I am speaking of, these principles were not only preached but

<sup>1</sup> Burnet says, the duke got into a boat, and took care of his dogs, and some unknown persons, who were taken, from that earnest care of his, to be his priests. The long boat went off with very few in her, though she might have carried off above eighty more than she did, p. 523. What makes this account probable in the main, is, that

the following persons perished with the rest, the earl of Roxborough, the lord Obryan, the laird of Hopton, sir Joseph Douglass, lieutenant Hyde the duke's brother-in-law. Echard, tom. III. p. 657. The duke, says Burnet, took no notice of this cruel neglect, which was laid chiefly to Legg's charge, p. 523.

1682.

but practised, and the king was thanked in publick and solemn addresses, for having established an absolute government. The pulpits rung with passive obedience, which was enforced from the positive declarations of God; and all the magistrates emulously strove to reduce this doctrine to practice. The whigs on their part in their attacks of these strange opinions, threw themselves into the other extreme, and thereby gave their enemies room to accuse them as subverters of monarchy. In short, a kind of infatuation seized the kingdom, and one party, instead of coming to a temper, violently embraced whatever was most contrary to the other.

The animosity against the whigs was then so excessive, <sup>Great rage against the whigs.</sup> that even in the administration of justice, the judges forgot common decency. The earl of Shaftsbury having brought his action of scandalum magnatum, against one mr. Cradock, <sup>Echard, III. p. 653.</sup> the defendant's counsel alledged, "That there was no probability of a fair trial by a London jury, by reason that the earl was of the skinners company, of which sheriff Pilkington was master, and that therefore the jury ought to be taken from some other place." The court of king's bench found this exception so just, that it was ordered, "That unless the earl would consent to try his cause by a country jury, it should not be tried in London." I know not whether such an exception had ever been known or admitted before. Party rage appeared in all private affairs, so that judgments were formed not according to the right, but the principles of the parties.

Though the whigs had a great disadvantage in the kingdom, they still preserved their superiority in London, where almost all the magistrates were of their party; but they were not suffered long to enjoy them. Moor, the lord mayor, who had been an abhorrer, and was in the interests of the court, objected against the election of the sheriffs, and afterwards of the lord mayor, who was to succeed him; and being supported by the privy council, prevailed, partly by force, and partly by consent, to have new sheriffs, and a new mayor elected of the king's party. This was a triumph for the court, and the earl of Shaftsbury was so sensible of it, that seeing himself like to be deprived Holland. Id. 664.

m The two sheriffs the court was for, were mr. North, and mr. Box. And those set up by the majority of the city, were mr. Papillon, and mr. Dubois. Some contests arose upon

this occasion, for which the late sheriffs and others were afterwards tried, as guilty of a riot. See state trials, t. III. p. 541, &c.

1682. prived of the protection of the city of London, he avoided the impending storm, by a retreat into Holland. It was remarked, that he was forced to shelter himself under the protection of a republick, to which, when he was chancellor, and one of the cabal, he had applied that saying of Cato, *delenda est Carthago*.——He died six weeks after his arrival in Holland.

A design against London and other corporations.

The court having got a lord mayor and sheriffs at their devotion, improved the advantage, and relying on the compliance of the magistrates, resolved to annull the charter of London, and afterwards those of all the other corporations in the kingdom. But this design was not executed till the next year.

In the mean time, the lord mayor and the sheriffs of London, were very active against the presbyterians, and executed the laws with great severity. Moreover, to recommend themselves the more to the court, they prevented the burning of the pope, as had been customary on the 17th of November.

Pilkington fined for words spoken against the duke of York. Nov. 24. Echard, III. p. 665. Burnet, p. 535.

The duke of York embracing so favourable a juncture, brought his action against the late sheriff Pilkington, for these words, spoken by the defendant, “The duke of York “has fired the city, and is now come to cut our throats.” The jury found for the duke, and gave him one hundred thousand pounds damages. To such height was party rage carried.

Before we finish the events of this year 1682, which was memorable only for the progress of the court and the tories, the downfall of the whigs, and the persecution of the presbyterians; I shall relate some other things which happened this year.

Mr. Thynne murdered.

First, the murder of mr. Thynne, almost in the heart of the city, by count Coningsmark, for which his footman was hanged. As this is a private affair, I shall say no more of it.

Embassies.

This year the king received two extraordinary embassies, one from the king of Fez and Morocco, the other from the king of Bantam in the isle of Java.

Deaths.

This year died, prince Rupert, count palatine of the Rhine, so often mentioned in the foregoing reign, sixty three years of age; John Maitland duke of Lauderdale; Heneage Finch earl of Nottingham and lord high chancellor; and Anthony Ashley Cooper earl of Shaftsbury.

On

On the other hand, the king created several peers<sup>o</sup>, amongst the rest, the duke of Ormond, an Irish duke, was promoted to the same dignity in England. 1682. Promotions.

Lastly, the earl of Sunderland was restored to the office of secretary, upon the resignation of earl Conway. Burnet, p. 531.

The king having had no extraordinary supplies from the parliament for some years, it would be astonishing that he should at once become so good an oeconomist, as to live upon his revenues, if it had not afterwards appeared, that he had contracted many debts, and thereby supplied in some measure the aids of money, which, on one pretence or other, he had used to receive from the parliament. The court pursued the same course, without any appearance of intending to use their new power for raising money upon the subject. It might seem strange, that the king, in his present situation, did not summon a parliament, as well to repeal what had been enacted against him, as to get a supply of money. Pretences would not have been wanting. That was not the thing. But it seemed, that notwithstanding the multitude of addresses, which were still daily presented, he did not confide in the affection of his people, and feared, that the elections would not be favourable to him. Indeed these addresses came but from one party, and the king knew, it was very possible to receive addresses from all the corporations in England, without being assured that the people in general were well affected. But as foreigners may not understand this, I shall briefly explain it. Reasons which hindered the king from calling a parliament.

England is almost all divided into communities, called corporations, which have each their privileges, obtained from the sovereigns on certain conditions. There is scarce a town, which has not its magistrates and laws as a corporation. The mayor, or head of the corporation, the aldermen, the recorder, and other principal officers, are elected either by the whole community, or by a certain number of townsmen. It is easy therefore to apprehend, that the prevailing party may, without great difficulty, form a common council of their own principles, and it is this common council which manages the addresses presented to the king, in the name of the whole corporation. Provided

• Henry Somerset marquis of Worcester was created duke of Beaufort; Conyers lord Darcy earl of Holderness; Thomas lord Windsor earl of Plymouth; Horatio lord Townshend viscount Townshend; Sir Thomas

Thynne viscount Weymouth; George Legg earl of Dartmouth; John Churchill (late duke of Marlborough) lord Churchill; and James Pertie earl of Abington, &c. Kennet, p. 369.

1682-3. Provided the superiority of voices in the common council be for one of the parties, that suffices, if an address be ordered, to say, it is in the name of the town or community, though all the other members should be of a contrary opinion. But in chusing representatives, another method is taken. For then every burgess, every freeholder, has a right to give his vote, and consequently representatives of a contrary party to the magistrates and common council may very possibly be elected. This, probably, hindered the king from venturing to call a new parliament, for fear he should not find his account in it. For the same voters who had chosen the members of the two last parliaments, would have had a right to vote for the members of a new one; which could not be advantageous to the court. The court therefore came to a resolution of resuming the charters of the corporations, and to grant others drawn in such manner, that the king should be almost enabled to cause such representatives to be chosen, as he pleased. It may be affirmed, there was no readier or more effectual way to invade at once the liberties of the nation, and cause the parliament itself to approve of the same.

The king goes to New-Market.

A Fire obliges him to return to London. Sprat's hist. p. 74. Echard, III. p. 669.

Till things should be ripe for the execution of this design, or some favourable occasion offer itself, the king resolved to take the diversions of Newmarket. He had scarce been there six days, when a fire broke out in the town with such violence, that he was obliged to return to London some days sooner than he designed. It was pretended afterwards, that there was, at this time, a plot against his life, to be executed at Newmarket, and which was prevented by the king's sudden return, occasioned by the fire. This accident was ascribed to a particular providence preserving the king, when he was in such danger.

1683.

Several aldermen tried for a riot. May 8. State trials, III. p. 541.

The king intending to be revenged on the old magistracy of London, which had opposed him for some years, issued out a commission for trial of the authors of the disorder at the election of sheriffs the last year. This disorder, in the commission, was called a riotous and unlawful assembly, and aggravated as much as a thing of such little moment could admit of. Fourteen aldermen and substantial citizens, the leaders of the whigs, were all tried and condemned in great fines <sup>p</sup>.

But

p Pilkington 500 l. Shute 1000 of Werk the same. Player 500 marks. Marks. Cornish the same. Lord Grey Bethel 1000. Junks 300. Deagle 400. Fegeman

But the king stopped not here, though the new magistrates and common council took care to give him marks of their respect and zeal, by repealing several acts of the court of common council, made during the late troubles. They likewise replaced, in its nich in the Royal Exchange, the statue of Charles I. which had been taken down after his death. Nevertheless, this did not prevent a Quo Warranto from being brought by the king against the city, that is, an order to show by what warrant they pretended to be a corporation, and enjoy the privileges mentioned in the writ. On such occasions, the corporation, against whom the Quo Warranto is sent, produces the charter of their privileges, and the question is to know, whether they have exactly obeyed the conditions and articles of their charter. If they have been faulty in any essential article, the court, before whom the affair is brought, may declare their privileges and charter forfeited. This rarely happens, because a corporation is not wont to break their charter in essential articles, for fear of losing it, and if it is in a point of little importance, the court is satisfied with a fine to the king. This is the practice where justice, and a maintenance of the laws and customs of the kingdom, are only intended. But, in the present case, the king's intention was not to maintain justice and the laws, but to take occasion from the breach of some article of the charter, to seize the liberties of London into his hands, and render himself absolute master of the government of that city. The present juncture was very favourable to his design, because, since the dissolution of the Oxford parliament, he had taken care to fill the courts of justice with judges devoted to him, and to these judges was committed the decision of the affair.

The king alledged two violations of the charter by the corporation of London. The first was the illegal exaction of tolls in the market, and particularly the raising money to rebuild Cheap-side conduit. The second was the framing and printing a scandalous petition, wherein they charged the king with obstructing the justice of the nation by proroguing

Freeman 300. Goodenough 500. Keys 100. Wickham 200. Swinock 500. And Jekyl 200. Kennet, p. 393.  
 9 Particularly, the lord mayor and court of aldermen's negative vote was

restored, and the lord mayor had power of chusing one sheriff, which is done at the Bridge feast, by the ceremony of drinking to the person designed.

A Quo Warranto brought against the charter of London. Kennet, p. 399. Echard, III. p. 678. Burnet, p. 530, 533.

1683. proroguing the last Westminster parliament. This affair was argued solemnly on both sides, and at last the judges of the king's bench declared, that the liberties and privileges of the city of London were forfeited, and might be seized into the king's hands. Nevertheless it was declared by the express command of the king, "That judgment should not be entered until his majesty's pleasure should be further known."

The charter declared forfeited.

June 12.  
Burnet.  
Kenet,  
P. 399.

The city submits to the king.

Several reflections on this judgment were then, and still are made, which are not to the honour either of the king or the court. However, the inhabitants of London were extremely surprized with the thing, and the common council assembled to consult how to proceed in this exigency. Some were for having the judgment entered till an opportunity offered to procure a reversal. But the court party insisted upon an absolute submission to the king before judgment was entered, which was in effect a voluntary surrender of the privileges of the city into the king's hands, and a depriving it of the means to cause the sentence one day to be repealed. This opinion was carried by a majority, and the king was waited on with a petition agreeable to this resolution. The king answered by the lord keeper North, that he would restore the charter, if the city would submit to the following regulations :

June 18.  
Kenet.  
Echard,  
III. p. 673.

Conditions offered by the king.

1. That no lord mayor, nor any officer of the corporation, or steward of the borough of Southwark, should be capable of, or admitted to the exercise of their respective offices, before his majesty should have approved them under his sign manual.

2. That if his majesty should disapprove the choice of any person to be lord mayor, &c. the citizens should, within one week, proceed to a new choice : and if his majesty should in like manner disapprove the second choice, his majesty might, if he pleased, nominate a person to be lord mayor for the ensuing year.

3. The same with regard to the sheriffs.

4. The lord mayor and court of aldermen might also, with the leave of his majesty, displace any alderman, recorder, &c.

5. Upon the election of any alderman, if the court of aldermen should judge and declare the person presented to be unfit, the ward should chuse again ; and upon a disapproval of a second choice, the court might appoint another in his room.

6. The

6. The justices of the peace were to be by the king's commission; and the settling of these matters to be left to his majesty's attorney and solicitor general, and council learned in the law. 1683.

By these articles, it is evident, the king was absolute master of the government of the city, and by restoring their charter, effectually deprived them of their principal privileges.

Two days after, the common council met, and resolved to submit to the king, by a majority of eighteen voices. The city accepted them. The historians of the king's party speak of this affair very slightly, pretending the city was justly punished for their great provocations to the king of late years. But as to the conduct of the king and court, which occasioned these provocations, they do not think proper to mention it, and so the whole blame lies upon the city.

We are at last come to the pretended protestant plot, that is to say, formed by the protestants against the king and the duke. But as it is hard to conceive the agreement of this term, in a protestant country, with designs framed by protestants against papists, and as some gladly remove the idea of the king and duke of York's being papists, they rather chuse to give it the name of the Rye-house-plot, from a house so called, in the road to Newmarket, where, it is pretended, the conspirators had projected to kill the king and duke. I must not conceal, that as the former conspiracy, called the popish plot, did then, and still does, pass for an invention, with the adherents of the court, so this had the same fate among those who were, or still are, of the contrary party. The history of this conspiracy must therefore be read with great caution, since the historians are entirely divided, the one representing as false, what the others assert as true. Were they both contented with relating the bare facts, giving for true those that may be proved, as for false those whose contrary cannot be proved, and for doubtful such as are doubtful, the reader might be able to form some judgment. But their accounts are artfully laboured to prepossess the reader. A thousand things are insinuated which have no foundation but in their system. The witnesses are either knaves or honest men, as is most for their advantage. The conspiracy in their recitals is supposed

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<sup>1</sup> Yeas 104. Noes 86. Echard, of Houldeston in Hertfordshire, and was then inhabited by Richard Rum-  
<sup>2</sup> III. p. 674.  
<sup>3</sup> Rye-house lies within two miles bold.

1683.

posed true or false at pleasure. Numberless circumstances are inserted to serve their purpose, without the least proof or authority. So the reader, who is in search of truth, finds himself at a loss, it being impossible to enter into a particular examination of so many opposite things. Impartial readers content themselves with leaving the matter undecided, because they see no proofs strong enough to determine their assent either way. Others, through prejudice in favour of one of the parties, or through laziness or indifference, implicitly follow the sentiments of the historian, or absolutely reject them.

To avoid therefore as much as possible the faults which I condemn, I shall suppress all insinuations of the historians of both parties, and confine myself to the depositions and defences of the accused, without adding any circumstance which is not owned by both sides.

Keeling's  
information  
in Sprat 8vo.  
Burnet,  
p. 544.  
Sprat's hist.  
p. 89.

This year, on the 12th of June, Josiah Keeling discovered the conspiracy, real or pretended, to the lord Dartmouth and secretary Jenkins, before whom he had made open confession of the whole matter, and subscribed his depositions. But afterwards, considering that his single intelligence was not sufficient, he prevailed upon Goodenough, that his brother John Keeling might be admitted into the next meeting of the conspirators. This was done, and thereupon both the brothers gave in their joint testimony upon oath on the 14th of June.

It must be observed, that this circumstance of the admission of John Keeling into the secrets of the plot, manifestly supposes a conspiracy. Accordingly it is only produced by those historians who believe the reality of the plot.

In the second place, the discovery of the plot being made by Josiah Keeling, the 12th of June, and the deposition of the two brothers being given in the 14th, it follows that, according to the first supposition, John Keeling had but one day to be informed of the secrets of this plot.

Burnet,  
p. 543. &c.

According to the two Keelings depositions, the plot consisted of three articles. 1. The conspirators designed to secure the king's guards (but how this was to be executed does not appear;) then to block up or besiege Whitehall, and seize the persons of the king and duke of York. 2. To assassinate the king and the duke in a hollow way near the Rye house, in their return from Newmarket. 3. To cause insurrections in London, and other parts of the

the kingdom<sup>t</sup>. But the Keelings deposed only against persons of no note. 1683.

Upon this deposition, the king published a proclamation for apprehending, colonel John Rumsley, Richard Rumbold maltster<sup>u</sup>, Richard Nelthorpe Esq; Edward Wade gent. Richard Goodenough gent. Capt. Walcot, William Thompson, James Burton, and William Hone; for any of which a hundred pounds was offered to the discoverer. Upon the proclamation, colonel Rumsley surrendered himself the next day; and being examined by secretary Jenkins, he confessed all he knew; which confession was next day confirmed by two others, mr. West and mr. Sheppard; so that on the 28th of June, there came out a second proclamation, for apprehending James duke of Monmouth, Ford lord Grey, sir Thomas Armstrong knight, and Robert Ferguson. It is pretended, that when the warrants were delivered to Legat the messenger, to seize Ferguson with the rest of the offenders, secretary Jenkins gave Legat a strict command, not to take him, but to shun him wherever he met him. Shortly after, the lord Howard of Esrick also surrendered himself, and upon his information, warrants for high treason were issued out against the earl of Essex, the lord Russell, and others, who were taken up accordingly. <sup>Sprat, p. 94. Burnet, p. 546. Kennet, p. 399.</sup>

This discovery brought addressees from all parts to congratulate the king. The ambassadors of foreign princes paid the same compliment; and the king of France offered five hundred Pistoles for the apprehension of Monmouth, Grey, Armstrong, or Ferguson. <sup>Addressees. Echard, III. p. 682.</sup>

The prisoners were not suffered long to languish. Walcot was first brought to his trial the 12th of July, and against him, <sup>Walcot's trial.</sup>

Rumsley swore, " That the prisoner came to a meeting at West's chamber, where the deponent was present, when a list was brought of the assassins, and agreed to join with them, intending to command a party that should charge the guards: that he undertook to go and view Rumbold's house, and bought a horse for that purpose: that he was present at the dividing London into " twenty <sup>Rumsley's Evidence. State trials, III. p. 600. Sprat, p. 140.</sup>

<sup>t</sup> And to massacre the magistrates of London, and the officers of state. King's declaration, p. 6.

<sup>u</sup> Rumsley and Rumbold had served in Cromwell's army. Rumsley going afterwards into Portugal, with the

forces that served there under the brave Schomberg, behaved courageously; and, by Schomberg's recommendation, got a place here in England. Burnet, p. 542.

1683. " twenty parts, in order to an insurrection; and at the  
 " consult for buying of arms after the disappointment at  
 " the Rye-house: that he was at the meeting for carry-  
 " ing on the conspiracy on Thursday before the discovery;  
 " and that, after it, they met at captain Tracy's, Wal-  
 " cot's own lodging, the deponent being present."
- Keeling's. Keeling deposed, " That Walcot was at the traitorous  
 State trials, assembly at the Salutation tavern, where the deponent  
 p. 606. " was called Culing, and a health drunk to the English  
 " Culing; West declaring, that Culing in Dutch was Kee-  
 " ling in English, adding, he hoped to see Keeling at the  
 " head of as good an army in Wapping, as they heard one  
 " Culing was then at Cologn."
- Bourn's. Bourn swore, " That Walcot used to come to Fergu-  
 p. 607. son when he lodged at his house; and that he and several  
 " others met at the Dragon on Snow-hill, and often  
 " at other places, in order to raise men, and divide the city  
 " into twenty parts, for securing the king and the duke;  
 " that almost every time they met, at least three times,  
 p. 608. " the prisoner at the bar was there: that he was at the  
 " last meeting at Tracy's, where they debated of stand-  
 " ing with sword in hand, and of killing Keeling for making  
 " the discovery."
- West's. West testified, " That the prisoner upon the election  
 Ibid. " of the London sheriff, asked him, Will the people do no-  
 " thing to secure themselves? and acquainted him with  
 " the insurrection then designed within three weeks or a  
 " month: that the earl of Shaftsbury was in the design,  
 " and had engaged the prisoner: that he had an expecta-  
 " tion of being a colonel of horse; asking the deponent,  
 " Whether he would have any command under him?  
 " That upon his refusal, he desired him to lend him a  
 p. 610. " suit of silk armour: that the said Walcot told him of  
 " several designs to attack the king and the duke: that in  
 " the business of the Rye-house, he undertook to com-  
 " mand the party that was to set on the guards."
- Walcot's Besides these witnesses, there was a letter produced, un-  
 letter pro- der Walcot's own hand, to secretary Jenkins, in which he  
 duced. said, " That if his majesty desired it, he would discover to  
 p. 613. " him all that he knew in England, Scotland, or Ireland,  
 Sprat. " which might be something more than the original dis-  
 Appendix, coverer could acquaint him with, especially as to Ireland:  
 p. 126. " that his intimacy with a Scotch minister, through whose  
 " hands much of the business went, occasioned his know-  
 " ing very much, &c."

Walcot's defence consisted, first, of a plain denial of 1683.  
 having any hand in the assassination; saying, "He knew  
 well enough, if he had undertaken to charge the guards,  
 while others killed the king, he was equally guilty with  
 those that killed him; but that he was sick of the gout  
 during the meetings, while the king was at Newmarket."  
 To this West replied, "That he remembered it well,  
 by a good token, that the prisoner himself said, He was  
 afraid when the time came, he should not be able to  
 draw on his boots." Walcot added, "That he came  
 accidentally to their meetings only to hear news. That  
 what he had promised to discover, he had only heard  
 from Ferguson." In conclusion, he was brought in guilty  
 of high treason by the jury.

Walcot's  
 defence.  
 State trials,  
 p. 615.

He is con-  
 demned.

Those who think this plot was only an artifice of the  
 court, to destroy their chief enemies, observe, that the de-  
 positions of the witnesses against Walcot, and the other  
 pretended conspirators, are all founded upon the supposi-  
 tion, that there was really a design to seize the king's  
 guards, assassinate him and the duke, and raise an insur-  
 rection, and upon a previous narrative of this pretended  
 conspiracy, supposed to be undeniable, to which the several  
 depositions were adjusted, before the reality of the design  
 was proved.

A remark  
 upon this  
 trial.

In the second place, they say, that these depositions are  
 incoherent. For the conspirators must have had at the same  
 time two contrary designs, one to secure the king's person,  
 to oblige him to consent to their proposals, and the other  
 to assassinate him; two designs which can hardly subsist to-  
 gether.

Their adversaries reply, it being proved by the deposi-  
 tions of the witnesses, that the accused had assisted at such  
 and such meetings, where the king's assassination was men-  
 tioned, and having discoursed concerning the design, the  
 supposition was sufficiently proved.

I shall not relate the trials of the other prisoners of little  
 note, but confine myself to the lord Russell's, son to the  
 earl of Bedford. This lord being one of those against whom  
 the court was most incensed, because he had proposed the  
 exclusion bill in the house of commons and carried it up to  
 the lords, he was tried the 12th of July at the Old Bailey,  
 before eight judges. He was very urgent for one day long-  
 er for his trial, because, as he said, he had witnesses that  
 might come before night, but he was overruled. He then  
 urged to have his trial deferred to the afternoon, but with

Trial of the  
 lord Russell.  
 P. 553.  
 State trials,  
 III. p. 629.

1683. no better success. Three witnesses deposed against him, colonel Rumfey the evidence against Walcot, mr. Sheppard, and the lord Howard of Efcrick.

Rumfey's deposition.

p. 636, 637.

p. 638.

Sheppard's deposition.

p. 638, 639.

The lord Howard's deposition.

1. Rumfey deposed, " That in the end of October, or in the beginning of November 1682, there met at mr. Sheppard's house in Abchurch-lane, the duke of Monmouth, the lord Grey, the lord Russel the prisoner, sir Thomas Armstrong, and Robert Ferguson: that the earl of Shaftsbury desired him to go to them thither, to know what resolution they were come to about the rising of Taunton; that he did go, and mr. Sheppard carried him up where they were, and he delivered his message. That the answer was, mr. Trenchard had failed them, and there would be no more done in the matter, at that time: that there was at the same time a discourse by all the company, about seeing what posture the guards were in, that they might know how to surprise them: That some of them undertook to go and see: that the lord Russel in particular did speak about the rising, and gave his consent to it."

2. Mr. Sheppard testified, " That in October last, Ferguson desired of him, in the duke of Monmouth's name, the conveniency of his house, for the meeting of some persons of quality; and that the same day in the evening, the duke of Monmouth, the lord Grey, the lord Russel, sir Thomas Armstrong, colonel Rumfey, and Ferguson came; that they desired to be private, and none of his servants to come up: that their discourse was how to surprize the guards: that the duke of Monmouth, the lord Grey, and sir Thomas Armstrong, went one night to the Mews to view them: that the next time they came, Armstrong said, the guards were very remiss, and the thing was feasible: that they had two meetings of this kind at his house; that in one of them something was read by Ferguson in the nature of a declaration, setting forth the grievances of the nation in order to a rising: that he could not positively say, that the lord Russel was there when it was read; but the said lord, the prisoner, was there when it was discussed of seizing the guards."

The lord Howard began his testimony, with a long story about the plot in general, which seemed to be designed only to exasperate the jury; after which he deposed to this effect:

\* The lord Russel was never there but once. See Burnet, p. 227. 43.

sect.: " That after the earl of Shaftsbury's flight, the chief  
 " persons concerned in the conspiracy, in his time, began  
 " to consider, they had gone so far, that it was unsafe for  
 " them to make a retreat; and that in so great an affair,  
 " consisting of such infinite particulars, to be managed with  
 " so much finesse, it would be necessary to have some ge-  
 " neral council; and that therefore they resolved to erect a  
 " cabal among themselves, which usually consisted of six  
 " persons, the duke of Monmouth, the earl of Essex, the  
 " lord Russel, colonel Sidney, mr. Hampden junior, and  
 " the deponent; and this was about the middle of January  
 " last. They met at mr. Hampden's house, where it was  
 " presently agreed, their proper province was to take care  
 " of the insurrection: that the chief things they debated  
 " were, whether that insurrection should begin first in Lon-  
 " don, or the country; then what counties and towns were  
 " the fittest, and most disposed to action; then, what arms  
 " were to be got, and how to be disposed; then, that it  
 " was necessary to have a common bank of twenty five,  
 " or thirty thousand pounds, to answer the occasions of such  
 " an undertaking; but that the greatest point was, to or-  
 " der it so, as to draw in Scotland into a consent with them;  
 " because it was requisite, that all kinds of diversion should  
 " be given to the king's forces. That about ten days af-  
 " ter, every one of the same persons met again at the lord  
 " Russel's house: that they then came to a resolution of  
 " sending some persons to the earl of Argyle, to settle a  
 " correspondence with him, and that some messengers should  
 " be dispatched into Scotland, to invite some Scotchmen hi-  
 " ther, who best understood the state of Scotland, to give  
 " an account of it: that the persons determined to be sent  
 " for, were sir John Cockram, the lord Melvil, and one  
 " of the name of Campbell: that colonel Sidney was in-  
 " trusted to take care of a messenger; and he told the de-  
 " ponent, he had sent Aaron Smith; then they agreed not  
 " to meet again till the return of the messenger, who was  
 " gone about a month before they heard any thing of him:  
 " that all this debate at the lord Russel's went without con-  
 " tradiction, all their present giving their consent: that as  
 " for raising of money, every one was put to think of such  
 " a way, that money might be collected without giving  
 " cause of jealousy. That, after all this, the deponent met  
 " no more with them; but, when he returned out of the  
 " country, he was informed, that Aaron Smith was come

1683.

p. 639, 642.

King's de-  
claration,  
p. 18.

1683. "back, and that sir John Cockram was also come to town."

p. 644.

To all this the lord Russel made answer, "That he could not but think himself mighty unfortunate, to stand charged with so high a crime, and that intermixed with the treasons, horrid practices and speeches of other people, while the king's council took all advantage, and heightened things against him. That he was no lawyer, a very unready speaker, and altogether a stranger to things of this nature: that he was sensible he was not so provided to make his defence, as otherwise he should do; but he thought the gentlemen of the jury were men of conscience, that valued innocent blood, and hoped they would consider the witnesses, that they swore to save their own lives. That the two times they met, was upon no formed design, only to talk of news and things in general: that the lord Howard having a voluble tongue, they delighted to hear him discourse: that he knew of no such council as six chosen, for who should chuse them?"

p. 643.

p. 644.

As to colonel Rumsey, "He was notoriously known to have been highly obliged to the king and the duke; and it was strange he should be capable of such a design as to murder the king. That the time was elapsed by the 13th of the king, which limits prosecution to six months. Neither was the design of levying war, treason, unless it appeared by some overt act." And asking upon what statute he was indicted, he was told, "The statute of the 25th of Edward the third." Upon which, he insisted upon a matter of law, and particularly, "That the business at mr. Sheppard's house was sworn to only by one witness." To which he was answered, "That if there were one witness of one act of treason, another of a second, and another of a third, that manifested the same treason, it was sufficient."

p. 645.

p. 646.

Burnet,

R. 546, 554.

For a further defence of his lordship, there appeared for him the duke of Somerset, the earl of Anglesey, mr. Edward Howard, the lord Cavendish, the lord Clifford, doctor Tillotson, doctor Burnet, doctor Cox, doctor Fitz Williams, mr. Luton Gore, and mr. Spencer. Some of these testified, that the lord Howard, before he was taken, declared, "He believed the lord Russel innocent, and knew nothing against him." Others spoke to his lordship's private character, and declared his great worth and probity, his virtuous and sober life, and consequently the improbability of his being thus engaged. But this was turned against him

by

by the king's council, who said, there could not be any more dangerous enemies to a state, than such as come sober to endeavour its destruction. 1683.

As to what concerned the lord Howard's saying, he believed the prisoner innocent, it was answered by that lord himself, who confessed, "He had said so, being then himself not accused, so that he intended to outface the thing both for himself and the party; but now, his duty to God, the king, and his country required it, he must say the truth; and that though the council of six were not chosen by any community, yet they did erect themselves by mutual agreement one with another into that society." State trials, p. 648.

In conclusion, the jury brought him in guilty of high treason. This sentence was considered by all, who had any sense of shame left, as the most crying injustice ever known in England. For the lord Russel was condemned for words spoken in his hearing, which in England can never pass for treason. The lord Howard so lost his reputation, for being accessory to this injustice, that he was looked on with horror by honest men, who avoided his company, as ashamed or afraid to be seen with him. Some say, he had made his peace with the king a little before, by the mediation of the duchess of Portsmouth, and by an engagement to serve as a witness against the pretended conspirators. He is condemned. July 14.

But that which was believed to have very much influenced the jury against the lord Russel, was, that in the very time of his trial, the earl of Essex, prisoner in the Tower, was found dead in his chamber, with his throat cut from ear to ear with a razor. The news was immediately brought to the Old Bailly, and communicated to the judges and the king's council, who from thence took occasion to insinuate to the jury the reality of the plot, since the earl of Essex rather chose to lay violent hands on himself, than stand a trial. The earl of Essex found with his throat cut in the Tower. Burnet, p. 553, 554. Kennet, p. 400. Echard, III. p. 688.

Though the coroner's inquest, after an examination of the dead body, found the earl Felo de se, this was not capable to remove the suspicion entertained by most people, that this fact was committed by the order of the king and duke, who were in the Tower that very morning, where they had not been for twelve years before. It was besides urged, that The king and the duke suspected of this murder. Speke's enquiry. Burnet, it p. 569.

y The evidence against my lord Russel being very defective, that accident was to help it out, as Mr. Hawles rightly observes. Remarks, p. 63.

1683. it was not possible for a man to cut his own throat from ear to ear. Several other circumstances were added, of which it is not easy to discover the truth. It is pretended, that in the blood sprinkled on the floor of the room, were discovered the marks of a strange foot; and that after the deed was done, the razor was thrown out of the window, and pickt up by a little girl. That before the coroner came to inspect the body, care was taken to strip and leave it naked, and to wash the room. That the coroner demanding to see the cloaths, was answered, it was his business to examine the body, and not the cloaths. What has been most plausibly urged, in vindication of the king and duke from this horrid action, is, that persons of credit have testified their frequent hearing the earl of Essex declare, that self-murder was no sin. It is further added, that his countess and sir Henry Capel his brother owned the justice of the coroner's verdict. But had they believed the contrary, this was no proper time to discover their suspicions. I am very certain, the last earl of Essex, his son, was of another opinion, and have heard him say, he believed his father was murdered, and that a French footman, who then served his father, was strongly suspected, and disappeared immediately after the fact. Be this as it will, the general opinion then was, and still is, that this unfortunate nobleman fell a sacrifice to the revenge of the king and the duke. This seems the less strange, as among those who declared most openly for their country, against the king and duke, the earl of Essex was not the only person who felt the effects of their resentment. The king however publicly declared in print, that he was deeply afflicted for the earl of Essex's death, because he was thereby deprived of an opportunity to exercise his clemency, and testify, how highly he valued the memory of the lord Capel. But, instead of convincing the publick by this external demonstration, it was by many imagined, that the king mentioned the lord Capel, only to insinuate, how much the earl his son had deviated from his steps.

Kennet,  
p. 400.  
Echard,  
III. p. 689.

Walcor,  
Hone and  
Roufe executed.

Besides the lord Russel condemned for this plot, two others also met with the same fate, namely, Hone a joyner, and John Roufe. This last had been indicted for treasonable words, and escaped by an ignorant jury. But he was re-taken, and tried for the same crime, which did not properly belong to this plot, but to his having talked of the king in treasonable terms. Hone and Roufe were both condemned as traitors, and executed with Walcor, the 20th

of July. They confessed, they had heard of a plot in general, but descended not to particulars. At least, it did not appear, that the lord Russel had any correspondence with them.

The next day, the lord Russel was also executed <sup>2</sup>. He was so universally esteemed, that it could not be thought, the king would refuse his pardon, which was begged by so many powerful relations. It is even said, the earl of Bedford his father, offered a hundred thousand pounds for his life, but his offer was rejected. The king would not so much as grant a reprieve of six weeks to his lady, though daughter of the earl of Southampton, but made her this answer, " Shall I grant that man six weeks, who, if it had been in his power, would not have granted me six hours?" Every one however was persuaded, that if there was a design to kill the king, the lord Russel was not concerned in it. Besides that he denied it with his last breath, he was not condemned for that crime, and the witnesses which deposed against him said nothing like it. And yet, the king, to have an excuse for refusing a short delay, supposed that this crime was fully proved. It cannot be denied, that though the lord Russel had been guilty of the crime for which he was condemned, namely, of giving a tacit consent to the design of an insurrection, the king could never have had an opportunity of exercising his clemency with more applause, to a man of so known virtue, near relation of the greatest families in the kingdom. But all these considerations were weak, against the passion of revenge with which the king and the duke of York were actuated. The lord Russel had been one of the warmest opposers of the duke of York, had joined the earls of Shaftsbury and Essex, and carried up the exclusion bill to the house of lords. These were crimes not to be forgiven by the king and his brother. But perhaps most of my readers, after having perused the transactions of this reign, will not think it so enormous a crime to endeavour to oppose an arbitrary power, which was beginning to be introduced. He died with great resolution, protesting his innocence and ignorance

Lord Russel  
executed,  
Id. p. 667.  
Burnet,  
p. 555, 560.  
Echard,  
III. p. 691.

<sup>2</sup> He was beheaded, July 21, on a scaffold erected in Lincoln's-Inn-fields. There were ten companies of the king's guards, and a troop of horse, drawn up, to prevent any disturbances that might arise at the sight of so moving and melancholy a spectacle. Echard,

t. III. p. 691.——In the duke of Monmouth's journal, it is said, that the king told him, " He inclined to save the lord Russel, but was forced to consent to his death, otherwise he must have broke with his brother, the duke of York." See Kennet, p. 406.

1683.

Kennet,  
p. 400.

norance of any design against the king's person, or of any contrivance to alter the government. As it was expected that he would be interrupted; he spoke but little on the scaffold, leaving in the hands of the sheriff a paper, in which he protested his innocence, and said, "That he died a true and sincere protestant, and in the communion of the church of England, though he could never yet comply with, or rise up to all the heights of some people."

Trial of  
Algernoon  
Sidney.  
Burnet.  
Echard,  
III. p. 697.  
State trials,  
III. p. 710.

For a conclusion to this tragedy, it remains only to speak of the condemnation and execution of colonel Algernoon Sidney, who was accused of the plot, and of the design to kill the king. He was brother to the earl of Leicester, and, in the late troubles, had been deeply engaged in the republican party. At the restoration he thought not fit to accept personally of the indemnity, whether in distrust of the king or for some other reason. At last, in 1677, he obtained a particular pardon of the king, and returned to England, where he joined the country party, at which the king was extremely offended.

Depositions  
against him.  
Nov. 21,  
p. 715, 716.

Four witnesses were produced against him, Rumsey, West, Keeling, and the lord Howard of Esrick. The three first contented themselves with giving a particular account of the plot, but said nothing directly against the prisoner. He complained of it as a great hardship, as prepossessing the jury. The lord Howard deposed, as before at the trial of the lord Russell, that colonel Sidney was one of the council of six, and had sent Aaron Smith into Scotland, to engage the Scots in a rebellion.

His defence.  
p. 721.

His defence was, first, the great improbability of erecting a council of six; and that persons so little knowing one another, should presently fall into so great and intimate a friendship. As to the duke of Monmouth, he said, he never spoke with him above three times in his life; and one time was, when lord Howard brought him to his house and cozened them both; for he told the duke, that colonel Sidney had invited him, and he told the colonel, that the duke invited himself, and neither of them was true. He enlarged upon the ill reputation of the lord Howard, and his varying his evidence with respect to the lord Russell's, and the present trial. He alledged the lord Howard's indigence, and his owing him money, which debt might probably be cancelled by his conviction. He proved, by the testimonies of the earls of Clare and Anglesey, of mr. Philip and mr. Edward Howard, dr. Burnet, mr. Ducas, and mr.

Burnet,  
p. 519.

State trials,  
III. p. 722.

p. 724.

Blake,

Blake, that the lord Howard had confessed, "That he could  
 "not get his pardon until he had done some other jobbs, till  
 "he was past the drudgery of swearing." 1683.

During the whole trial, the judges themselves undertook Partiality of  
 to answer the reasons of the accused, without leaving any the judges.  
 thing for the king's council to do. But they answered not  
 the objection drawn from the confession of lord Howard, nor  
 did he himself make any reply. So that the design of the  
 court to furnish the jury with reasons to condemn the priso-  
 ner, manifestly appeared.

But what was most urged against him, was a manuscript One of his  
 found among his papers. It was an answer to a book, com- own manu-  
 posed by sir Robert Filmer, to prove, that, by the laws of scripts pro-  
 God and nature, kings, and particularly those of England, duced  
 were invested with absolute and unlimited power. Sidney, P. 719.  
 in his answer to this book, had asserted a quite contrary  
 doctrine, and carried his republican principles to a very  
 great height.

He said first, that the manuscript was not writ by him, P. 721, 723  
 and he saw no reason for ascribing it to him. That though 722.  
 he was the author, it might be writ many years ago in  
 answer to Filmer's book, with no intention of publishing it,  
 but disputandi gratia, only for private diversion, and the  
 exercise of his pen. In fine, he insisted very much upon  
 the necessity of two witnesses to the same fact. The  
 court, as I said, answered all his objections, but it plainly  
 appears, it was with wretched cavils and subtilties. To the P. 733  
 manuscript it was answered, that scribere est agere, and that  
 there was sufficient in it to prove the malice of his heart,  
 and his treasonable designs. I know not whether the Eng-  
 lish lawyers are agreed in this maxim\*. However, he He is con-  
 was brought in guilty by the jury. It is pretended, this demned,  
 was the first time a man was accused of treason, and  
 condemned to die, for writing any thing without publish-  
 ing it.

He was beheaded the 7th of December, without discover, and behead-  
 ing the least weakness. Instead of a speech on the scaffold, ed.  
 he delivered a writing to the sheriff, in which he complain- State trials,  
 ed bitterly of the injustice done him. He represented the III. p. 738.  
 infamous life of the lord Howard, and the judges, as men Kennet,  
 corrupted and only promoted to serve the designs of the P. 404.  
 court. Burnet.

While

a Finch aggravated the matter of the  
 book, as a proof of his intentions, pre- tending it was an overt act, for he said,  
 scribere est agere. Burnet, p. 572.

1683. While these pretended conspirators were vigorously prosecuted, the university of Oxford distinguished themselves in a particular manner, amongst the advocates for the court, by a condemnation in form of twenty seven propositions, collected out of several modern authors, concerning the regal power. This decree was presented to the king with great solemnity, and very graciously received. In the decree itself will appear the sentiments of the university at that time.

The Oxford  
decree.  
Kennet,  
P. 411, &c.

The judgment and decree of the university of Oxford, passed in the convocation, July 21, 1683, against certain pernicious books, and damnable doctrines, destructive to the sacred persons of princes, their states and government, and of all human society <sup>b</sup>.

“ **A**Lthough the barbarous assassination lately enterprized against the person of his sacred majesty and his royal brother, engage all our thoughts to reflect with the utmost detestation and abhorrence on that execrable villainy, hateful to God and man, and pay our due acknowledgments to the divine providence, which by extraordinary methods brought it to pass, that the breath of our nostrils, the anointed of the lord, is not taken in the pit which was prepared for him; and that under his shadow we continue to live, and enjoy the blessings of his government; yet notwithstanding, we find it to be a necessary duty at this time to search into, and lay open those impious doctrines, which having of late been studiously disseminated, gave rise and growth to these nefarious attempts; and pass upon them our solemn publick censure, and decree of condemnation.

“ Therefore, to the honour of the holy and undivided trinity, the preservation of catholick truth in the church, and that the king’s majesty may be secured both from the attempts of open bloody enemies, and machinations of treacherous hereticks and schismatics: we the vice chancellor, doctors, proctors, and masters, regent and non regent, met in convocation, in the accustomed manner, time, and place, on Saturday the one and twentieth day  
“ of

<sup>b</sup> This decree was drawn up by dr. Jane of Christ-Church, who upon it joined in the revolution, which gave occasion to this epigram.  
was made dean of Gloucester. He

Decretum figis solenne, decanus ut effes,  
Ut fieres præful, Jane, æfigis idem.

1683.

“ of July, in the year 1683, concerning certain propo-  
 “ tions contained in divers books and writings, published in  
 “ the English, and also the Latin tongues, repugnant to the  
 “ holy scriptures, decrees of councils, writings of the fa-  
 “ thers, the faith and profession of the primitive church, and  
 “ also destructive of the kingly government, and safety of  
 “ his majesty’s person, the public peace, the laws of nature,  
 “ and bonds of human society; by our unanimous assent  
 “ and consent, have decreed and determined in manner and  
 “ form following.

“ I. All civil authority is derived originally from the  
 “ people.

“ II. There is a mutual compact, tacit or express, be-  
 “ tween a prince and his subjects; and that if he perform  
 “ not his duty, they are discharged from theirs.

“ III. That if lawful governours become tyrants, or go-  
 “ vern otherwise than by the laws of God and man they  
 “ ought to do, they forfeit the right they had unto their  
 “ government. *Lex rex. Buchan. de jure regni. Vindici-  
 “ e contra tyrannos. Bellarm. de conciliis, de pontifice.  
 “ Milton. Goodwin. Baxt. H. C.*

“ IV. The sovereignty of England is in the three estates,  
 “ viz. King, lords, and commons. The king has but a  
 “ co-ordinate power, and may be over-ruled by the other  
 “ two. *Lex rex. Hunton. Of a limited and mixed mo-  
 “ narchy. Baxter’s H. C. Polit. Catechif.*

“ V. Birth-right and proximity of blood give no title to  
 “ rule or government; and it is lawful to preclude the next  
 “ heir from his right and succession to the crown. *Lex rex.  
 “ Hunt’s postscript. Doleman’s history of succession. Ju-  
 “ lian the apostate. Mene tekell.*

“ VI. It is lawful for subjects, without the consent, and  
 “ against the command of the supreme magistrate, to enter  
 “ into leagues, covenants and associations, for defence of  
 “ themselves and their religion. *Solemn league and cove-  
 “ nant. Late association.*

“ VII. Self-preservation is the fundamental law of na-  
 “ ture, and supercedes the obligation of all others, whenso-  
 “ ever they stand in competition with it. *Hobbes, de cive;  
 “ leviathan.*

“ VIII. The doctrine of the gospel, concerning pati-  
 “ ent suffering of injuries, is not inconsistent with violent  
 “ resisting of the higher powers, in case of persecution  
 “ for religion. *Lex rex. Julian the apostate. Apologet.  
 “ relat.*

“ IX. There

1683.

“ IX. There lies no obligation upon christians to passive obedience, when the prince commands any thing against the laws of our country; and the primitive christians chose rather to die than resist, because christianity was not settled by the laws of the empire. Julian the apostate.

“ X. Possession and strength give a right to govern; and success in a cause or enterprize, proclaims it to be lawful and just: to pursue it, is to comply with the will of God, because it is to follow the conduct of his providence. Hobbes. Owen’s sermon before the regicides, Jan 31. 1648. Baxter. Jenkins’s petition, Octob. 1651.

“ XI. In the state of nature there is no difference between good and evil, right and wrong: the state of nature is a state of war, in which every man hath a right to all things.

“ XII. The foundation of civil authority is this natural right, which is not given but left to the supreme magistrate, upon mens entering into societies: and not only a foreign invader, but a domestick rebel, puts himself again into a state of nature, to be proceeded against, not as a subject, but an enemy; and consequently acquires by his rebellion the same right over the life of his prince, as the prince for the most heinous crimes has over the life of his own subjects.

“ XIII. Every man, after his entering into a society, retains a right of defending himself against force; and cannot transfer that right to the commonwealth, when he consents to that union whereby a commonwealth is made: and in case a great many men together have already resisted the commonwealth, for which every one of them expected death, they have liberty then to join together to assist and defend one another: their bearing of arms, subsequent to the first breach of their duty, though it be to maintain what they have done, is no new unjust act; and if it be only to defend their persons, it is not unjust at all.

“ XIV. An oath superadds no obligation to pacts, and a pact obliges no further than it is credited, and consequently, if a prince gives any indication, that he does not believe the promises of fealty and allegiance made by any of his subjects, they are thereby freed from their subjection; and notwithstanding their pacts and oaths,  
“ may

" may lawfully rebel against, and destroy their sovereign. 1683.

" Hobbes de civ. leviathan.

" XV. If a people, that by oath and duty are obliged to a sovereign, shall sinfully dispossess him, and, contrary to their covenants, chuse and covenant with another; they may be obliged by their latter covenants; notwithstanding their former. Baxter's H. C.

" XVI. All oaths are unlawful, and contrary to the word of God. Quakers.

" XVII. An oath obligeth not in the sense of the imposers, but the takers. Sheriff's case.

" XVIII. Dominion is founded in grace.

" XIX. The powers of this world are usurpations upon the prerogative of Jesus Christ; and it is the duty of God's people to destroy them, in order to the setting Christ upon his throne. Fifth monarchy men.

" XX. The presbyterian government is the scepter of Christ's kingdom, to which kings as well as others are bound to submit; and the king's supremacy in ecclesiastical affairs, asserted by the church of England, is injurious to Christ, the sole king and head of the church. Altare damascenum. Apologet. relat. hist. of indeligen- ces. Cartwright. Travers.

" XXI. It is not lawful for superiors to impose any thing in the worship of God that is not antecedently necessary.

" XXII. The duty of not offending a weak brother, is inconsistent with all human authority of making laws concerning indifferent things. Protestant reconciler.

" XXIII. Wicked kings and tyrants ought to be put to death; and if the judges and inferior magistrates will not do their office, the power of the sword devolves to the people: if the major part of the people refuse to exercise this power, then the ministers may excommunicate such a king: after which it is lawful for any of his subjects to kill him, as the people did Athaliah; and Jehu, Jezabel. Buchanan. Knot. Goodman. Gilby. Jesuits.

" XXIV. After the sealing of the scripture canon, the people of God, in all ages, are to expect new revelations for a rule of their actions; and it is lawful for a private man, having an inward motion from God, to kill a tyrant. Quakers, and other enthusiasts. Goodman.

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S f

" XXV. The

1683.

“ XXV. The example of Phineas, is to us instead of a command: for what God hath commanded or approved in one age, must needs oblige in all. Goodman. Knox. Napthali.

“ XXVI. King Charles I. was lawfully put to death; and his murderers were the blessed instruments of God's glory in their generations. Milton. Goodwin. Owen.

“ XXVII. King Charles the first made war upon his parliament: and in such a case, the king may not only be resisted, but he ceaseth to be king. Baxter.

“ We decree, judge, and declare, all and every of these propositions to be false, seditious, and impious; and most of them to be also heretical and blasphemous; infamous to the christian religion, and destructive of all government in church and state.

“ We further decree, that the books which contain the aforesaid propositions, and impious doctrines, are fitted to deprave good manners, corrupt the minds of uneasy men, stir up seditions and tumults, overthrow states and kingdoms, and lead to rebellion, murder of princes, and atheism itself. And therefore we interdict all members of the university from the reading of the said books, under the penalties in the statutes expressed. We also order the before recited books to be publicly burnt by the hand of our marshal, in the court of our schools.

“ Likewise we order, that in perpetual memory hereof, these our decrees shall be entered into the registry of our convocation; and that copies of them being communicated to the several colleges and halls within this university, they be there publicly affixed in the libraries, refectories, or other fit places where they may be seen and read of all.

“ Lastly, We command, and strictly enjoin all and singular the readers, tutors, catechists, and others, to whom the care and trust of initiating youth is committed, that they diligently instruct and ground their scholars in that most necessary doctrine, which, in a manner, is the badge and character of the church of England, of submitting to every ordinance of man; for the lord's sake; whether it be to the king, as supreme; or unto governors, as unto them that are sent by him, for the punishment of evil doers, and for the praise of them that do well. Teaching that this submission and obedience is to be clear, absolute, and without any exception of any state or order of men: also, that they, according to the apostle's precept, exhort,

"hort, that first of all, supplications, prayers, intercessions; 1683.  
 "and giving of thanks, be made for all men; for the king,  
 "and all that are in authority, that we may lead a quiet  
 "and peaceable life, in all godliness and honesty, for this  
 "is good and acceptable in the sight of God our saviour.  
 "And in special manner, that they press and oblige them;  
 "humbly to offer their most ardent and daily prayers at  
 "the throne of grace, for the preservation of our sove-  
 "reign lord king Charles, from the attempts of open vio-  
 "lence, and secret machinations of perfidious traitors;  
 "that the defender of the faith, being safe under the de-  
 "fence of the most high, may continue his reign on earth,  
 "till he exchange it for that of a late and happy immor-  
 "tality."

The marriage of the princess Anne, second daughter of the duke of York, with prince George, brother to the king of Denmark, celebrated the 28th of July, gave some Marriage of the princess Anne. Kennet, p. 407.  
 but no long interruption to the prosecutions of the conspi-  
 rators.

We have seen that the city of London complied with the king's pleasure in relation to their charter. But it seems the king repented of his being so favourable. The election of a lord mayor, which is usually on the 29th of September, having been deferred to the 6th of October, the king, on pretence that the city had not tendered him a formal submission, ordered the judgment upon the Quo Warranto to be entered. By this the city being without a charter, the government was seized by the king, who sent a commission to sir William Pritchard to continue in the execution of his office during pleasure. He confirmed likewise the two sheriffs with the same restriction, and displaced the recorder, naming another in his room. Shortly after, on St. Simon and Jude's day, on which it is customary for the new lord mayor to take the oaths in the court of exchequer, the king appointed a new lord mayor during his pleasure. Thus the city of London saw itself without charter or privileges, and entirely dependent on the king's will.

The king, as I said, published a proclamation for apprehending all the conspirators against his life, among whom was his natural son, the duke of Monmouth. The duke had the king.

the duke of Monmouth reconciles himself with the king. Sprat's hist. p. 162, and appendix, p. 201.  
 e Sir George Treby was displaced, and sir Thomas Jenner, who was knighted at the same time, was made recorder. Eight aldermen were like-  
 wife turned out, and as many new ones named in their stead. Kennet, p. 407.

1683.

Kennet,  
p. 406.  
Burnet,  
p. 573.

had hitherto kept himself concealed. But at last, weary of his uneasy situation, he writ a very submissive letter to the king his father, wherein, after positively denying his ever having any design against his life, he owned however, that many people had made him believe his own was in danger, and thereby caused him to commit things contrary to his duty to the king and the duke of York, and asked both their pardons with great earnestness and submission. He added, that if his majesty would give him his pardon, he would deliver himself into the hands of the duke, that he might bring him to him. This was accompanied with protestations and assurances of respect, submission, and fidelity for the future. He concluded with saying, "That he would never ask to see the king's face more, if ever he did any thing against the duke; which was the greatest curse he could lay upon himself."

The king could not dissemble his satisfaction at the receipt of this letter, for he tenderly loved the duke of Monmouth. Nevertheless, with his own hand he writ the following answer: "If the duke of Monmouth desires to make himself capable of my mercy, he must render himself to the secretary, and resolve to tell me all he knows, resigning himself entirely to my pleasure."

Sprat's hist.  
p. 162, and  
appendix,  
p. 204.

This drew a second letter from the duke, more submissive than the former, in which he confessed his offence against the king and the duke, but in general terms, and without mention of particulars<sup>d</sup>. But in assuring the king of an unreserved submission to his pleasure, he intreated him, that he would not expose him to the ignominy of a trial, nor send him to the Tower, nor force him to be a witness against any person.

The king, satisfied with this letter, very readily admitted his beloved son to ask forgiveness. He was introduced by secretary Jenkins, who withdrew, and left him alone with the king and the duke of York. What passed between them, can only be known from the report of the king and the duke his brother. It is however affirmed, that he threw himself at the king's feet, acknowledging his guilt<sup>e</sup>, and asking his pardon;

Ibid. p. 164,  
165.

<sup>d</sup> He only said, "—I confess, sir, I have been in fault, misled, and insensibly engaged in things of which the consequence was not enough understood by me: yet I can say I never had a criminal thought towards your Majesty."—Sprat's hist. append. p. 204.

<sup>e</sup> He did fully and freely acknowledge his having been conscious of the conspiracy;—but persisted to the last in renouncing any the least knowledge or thought of the assassinating part. Sprat's hist. p. 164. See the duke's journal in Kennet, p. 406.

pardon; that he confessed himself faulty to the duke, asking his pardon also. All this is very probable, but what is added admits of some doubt, namely, that he confirmed whatever had been deposed against the lord Ruffel and colonel Sidney, and thereby corroborated the lord Howard's evidence. It is also added, that he assured, all the considerable nonconformist ministers knew of the conspiracy. As this could only come from the king, or duke of York, and as it was the interest of both, that the earl of Essex, lord Ruffel, and colonel Sidney, should be thought guilty, all do not think themselves obliged to credit their testimony.

However this be, the king ordered his pardon to be dispatched with all expedition. But afterwards, upon a report, "That the duke of Monmouth had made no confession, but had asserted the innocency of some that had suffered," the king required him to write over, and subscribe the following letter:

"I HAVE heard of some reports of me, as if I should have lessened the late plot, and gone about to discredit the evidence given against those who have died by justice. Your majesty and the duke know, how ingenuously I have owned the late conspiracy; and though I was not conscious of any design against your majesty's life, yet I lament the having had so great a share in the other part of the said conspiracy. Sir, I have taken the liberty to put this in writing for my own vindication; and I beseech you to look forward, and endeavour to forget the faults you have forgiven me; I will take care never to commit any more against you, or come within the danger of being again misled from my duty, but make it the business of my life to deserve the pardon your majesty hath granted to,

Your dutiful Monmouth."

It is certain, the duke writ, or at least subscribed this letter, which, as it appears, was expressed in general terms, without descending to particulars. And yet, shortly after he repented of what he had done, and with great importunity pressed the king to return him the paper he had subscribed. The king answered him, he would not keep it against his will, that he might not have occasion to say, he had been forced to write it. But withal, he warned him to consider, what ill consequences might follow upon this obstinacy, and therefore gave him time till the next morning to deliberate with himself.

1683.

has it restored, and is banished from the king's presence.

Dec. 7.  
A conjecture upon this affair.  
Sprat's hist. p. 168.  
Burnet, p. 575.

himself. The next day the duke demanded his letter with still greater importunity, and the king restored it, but from that moment banished him from his presence at court.

It is easy to see, that the motive which induced the duke to demand his letter again, is a subject for conjectures, and difficult to be discovered. Some pretend, the duke of Monmouth's friends represented to him, that by writing this letter, he had thrown himself upon an unavoidable precipice, since at some other time it might be turned to his ruin. Others maintain, that he was so troubled in conscience, for having asserted in this letter a thing which he knew to be false, that he was not easy till it was returned him. Each follows the opinion which is most agreeable to his system, but no proof is produced on either side. Lastly, there are who pretend, it was a contrivance between the king and the duke of Monmouth, and that the king, not to disoblige the duke of York, told, or ordered the duke of Monmouth to be told, to demand his letter again, in order to have an opportunity to restore it, for fear the duke of York might one day make an ill use of it. They confirm this conjecture from the king's behaviour to the duke of Monmouth in his absence. The duke withdrawing into Holland, and the prince of Orange receiving him with great respect and civility, the king could not forbear testifying his satisfaction. He writ frequently to the duke of Monmouth, received letters from him, unknown to the duke of York, and privately supplied him with money.

Kennet, p. 467.  
Echard, III. p. 705.

A great frost.  
Phillips.  
Echard, III. p. 705.

The winter this year was very remarkable for a violent frost, which began about the beginning of December, and lasted till the 5th of February. The Thames was so frozen, that there was another city, as it were, on the ice, by the great number of booths erected between the Temple and Southwark, in which place was held an absolute fair, for above a fortnight, of all sorts of trades. An ox was likewise roasted whole, bulls baited, and the like.

Tangier demolished.  
Echard, III. p. 706.  
Burnet, p. 592.

In September or October this year, the king commissioned the lord Dartmouth to go with about twenty sail of ships, and utterly demolish the town, castle, and mole of Tangier. The mole had cost the king vast sums, but for want of money or for some other cause was left unfinished. The lord Dartmouth had also orders to choak up the haven. Six months were spent in executing this commission. The king was thereby freed from a considerable annual expence for the preservation of this place, and moreover, the garrison, mostly consisting, as I observed, of popish soldiers and officers,

served to augment the king's forces at home, and keep in awe those who were impatient of the yoke. 1683.

This year 1683, was memorable for the famous siege of Vienna, formed by the grand visier Kara Mustapha, the 9th of July, with an army of an hundred and thirty thousand men, and raised by the king of Poland, the second of September, when the city was reduced to the last extremity. The siege of Vienna. Burnet, p. 563. Echard, III. p. 706.

This year 1684 was almost wholly spent in establishing the king's acquired absolute power. This was done chiefly by three expedients. The first was the augmentation of the forces by the garrison of Tangier: the second was, the rigorous punishment of those who were not only accused of the protestant plot, but had during the quarrels between the king and the late parliaments, taken the liberty to speak of the king and the duke of York, with too much passion and heat. These speeches, at a time when the king and the duke were obliged to dissemble, for fear of farther exasperating the parliament, were now remembered when they were in a more favourable situation, and the authors made to suffer. The third expedient was, the persuading indirectly all the corporations in the kingdom to surrender their charters to the king. I have already said what I had to say concerning the garrison of Tangier.

As to the second expedient, I mean, the prosecutions against the king's and duke's enemies, it would be tedious to enumerate all the trials and sentences given against those who were accused either of the last plot, or of having spoken too freely of the king and the duke. Nothing else almost occurs in the events of the year 1684. Since the city had lost their privileges, the king had nominated sheriffs entirely devoted to him, who took care in all criminal trials to impanel juries, disposed to follow the suggestions of the court. To facilitate the condemnation of those whose prosecutions were resolved, the king, in December last, had made sir George Jefferies lord chief justice of the king's bench. He was a man fit for the purposes of the court, without honour or conscience, impudent to the last degree, and ever ready to betray his duty and the interests of justice and the kingdom to recommend himself to those who were in power. These great qualities advanced him at last to the chancellorship of England. The king had also made other alterations among the judges, so that he was in a manner assured of the compliance of all the courts of justice. The court party had

f Peter Daniel, and Samuel Dashwood, esquires. Kennet, p. 407.

1683-4. had made a great noise some time before, concerning the ignoramus returned by the London juries upon all bills preferred against the whigs, and these complained no less of the rigour exercised this year by the tories. Books have been published to show the passion, the partiality, and the trying injustice of the judges and juries, in favour of the court. But I cannot descend to these particulars, however proper they may be to demonstrate, with what zeal the court promoted the execution of their designs, and to show the characters of the persons employed. I shall therefore omit many trials of persons little known, and confine myself to some particular cases, by which the rest will be easily judged of.

The earl of Danby discharged. Feb. 12. Kennet, p. 405. Phillips, Burnet, p. 591.

The earl of Danby had been sent to the Tower by the house of lords, upon an impeachment from the commons. He had often demanded to be discharged upon bail; but the judges had always refused his request, declaring that it was not in their power to admit to bail a peer of the realm imprisoned by parliament. This was the law of the kingdom. But the alterations amongst the judges had likewise produced great alterations in the maxims and principles of the courts of justice. The judges who had been in office some time, believed it lawful to release the earl upon bail, which was accordingly taken, the earl being bound in a recognizance of ten thousand pounds.

The popish lords admitted to bail. Feb. 12. Kennet, p. 406. Echard, III. p. 709.

The release of the earl of Danby was a precedent for the liberty of the popish lords, prisoners in the Tower. The lord Petre one of those lords, dying about a month before upon his death-bed sent a letter to the king, disowning in his last words, and upon his salvation, the matters of which he stood accused. After a declaration so express, the king not doubting the innocence of the other four, told the court by his attorney general, that he consented to whatever the court should think fit to be done with regard to the popish lords. Whereupon they were admitted to bail the same day with the earl of Danby. It must be that the former judges were very ignorant, not to know that an inferior court had power to release men imprisoned by the supreme court of the kingdom, or that the present judges were more bold than their predecessors.

Kennet, p. 405. Echard, III. p. 709.

But the persons accused of the last conspiracy, and those who had spoken disrespectfully of the king and the duke, met not with so much humanity. Among the great number prosecuted for these two offences, I shall only relate the trials of three or four.

Mr.

Mr. Hampden was tried for a conspiracy the 6th of February. 1683-4. The lord Howard deposed against him, That the council of six meeting at mr. Hampden's house, mr. Hampden made an introductory speech to open the assembly, and that he was concerned in sending Aaron Smith into Scotland. Mr. Hampden's counsel insisted upon lord Howard's ill reputation, and scandalous life, and represented him little better than an atheist. But such objections were of force only against Oates and Bedloe. For how was it possible that the lord Howard should be an ill man, since he only deposed against protestants? On the other hand, mr. Hampden produced witnesses who testified his virtue, his piety, his morality. But these testimonies were ineffectual. Jefferies, in a long speech, speaking of religion and virtue, turned it upon the prisoner in these words, "Was it not (said he) under the shape of religion that the blessed martyr king Charles I. came to the block? Nay some men were at a loss to know which way they should put a spirit into the common people to oppose the king; and some among them, mr. Hampden the first, bid them be sure to put religion to be the pretence, and that would make them run headlong to what they would have them." But this excellent argument, to be virtuous and religious, was a sign of a man's being engaged in the plot. But observe an artifice made use of to cast mr. Hampden. It is certain, that, supposing the truth of lord Howard's testimony, mr. Hampden was not less guilty than lord Russel or colonel Sidney. Nevertheless, he could not be condemned as a traitor, since there was but one evidence against him, and all laws divine and human require two witnesses to the taking away a man's life. He was therefore indicted of a misdemeanour, and the jury finding him guilty on the testimony of lord Howard, the court was satisfied with fining him forty thousand pounds, and obliging him to find sureties for his good behaviour during life. This was thought to be a very strange and a severe sentence. But the king dispelled all doubts concerning this affair, by assuring the publick in a large declaration, "That if he had not granted the duke of Monmouth's request, that he would not make him a witness, neither mr. Hampden, nor scarce any one man of those that were freed upon bail, had escaped death."

John Dutton Colt, esquire, a member of the three last parliaments, being accused of speaking these words, "The duke of York is a papist, and before any such papist dog shall be successor to the crown of England, I will be hanged against"

The trial of  
mr. Hamp-  
den.  
Burnet.  
State trials,  
III. p. 740.  
&c.

p. 753

p. 767.

Who is fined  
forty thou-  
sand pounds.  
p. 771.

Keene,  
p. 405.  
Echard,  
III. p. 730.

Scandalum  
magnatum  
brought  
against

1684. "hanged at my own door." These and other injurious words being proved against him, the jury brought in their verdict for the duke of York, and gave him for damages a hundred thousand pounds.

Dutton Colt:  
May 3.  
Kennet,  
p. 414.  
And against  
Titus Oates.  
State trials,  
III. p. 899.  
Kennet.  
Burnet.

The duke of York also brought his action of scandalum magnatum against Titus Oates, for directly calling him traitor. For this offence the court gave the duke of York a hundred thousand pounds damages. Shortly after, he was indicted for perjury, in relation to father Ireland's being in London at the time Oates swore to, at his trial. Not long after another indictment of perjury was preferred against him, in relation to his being present at the supposed consult of the jesuits at the Whitehorse tavern in 1678. But these indictments not being tried this reign, Oates continued in prison.

Holloway  
executed,  
State trials,  
III. p. 855.  
Burnet,  
p. 576.  
Kennet,  
p. 413.  
Echard,  
III. p. 713.

These three, and some others, omitted for brevity sake, escaped with life, tho' properly condemned to perpetual imprisonment, as not being able to pay their exorbitant fines. But two others, who were out of the kingdom, did not come off so easy. James Holloway having seen his name in the Gazette amongst the conspirators, who were to be apprehended by the king's proclamation, fled to the West Indies. Upon his flight, he had suffered an outlawry for high treason, and this year the court hearing he was in the West-Indies, caused him to be apprehended and brought to London, where he was executed upon the attainder of outlawry treason.

April 30.

and fir  
Thomas  
Armstrong.  
State trials,  
III. p. 895.  
Kennet,  
p. 414.  
Burnet,  
p. 577.

The same thing happened to fir Thomas Armstrong, who had been considered as one of the principal authors of the last plot, and named in the king's proclamation with a reward of five hundred pounds. He made his escape into Holland, and was outlawed as well as Holloway. The court hearing he was at Leyden, obtained an order from the states to apprehend him, and accordingly before he had notice, he was apprehended and brought to Rotterdam, and from thence to London. When he appeared at the king's bench bar, he alledged that he was beyond sea at the time of the outlawry, and begged that he might be tried. But his request was absolutely

g February 7, Laurence Braddon and Hugh Sacke were tried for a misdemeanour in suborning witnesses to prove the earl of Essex was murdered by his keepers, for which the first was fined two thousand pounds, and the latter one thousand pounds, —

February 14. fir Samuel Barnardiston was fined ten thousand pounds for writing some letters about the plot. State trials, tom. III. p. 771, 845. — And Samuel Johnson five hundred marks, for writing Julian the apostate, Kennet, p. 405.

olutely rejected, and the rather, as the attorney general told the court from the king, that Armstrong was one of the persons who were to assassinate his majesty on his return from Newmarket, which the prisoner positively denied. He was executed the 20th of June, and his head and quarters set up in several parts of the city. Only one was reserved to be sent down to Stafford, for which town he had been a burgess in parliament.

I do not think it necessary to relate the trials, this year, of a great number of libellers, and persons who had spoken against the king, the duke of York, or the government. In Richard's history I find thirty-two condemned in great fines, and some put in the pillory. The history of this year properly consists of such transactions only.

The whole kingdom being struck with terror, the king believed he ought to improve it to the establishment of his absolute power, so as to have nothing to fear from any future opposition. This was by depriving at once all the corporations, and consequently all his subjects of their privileges. It was not proper to use absolute power, but to proceed in a manner more politick and more dangerous to the people, by engaging them to make a voluntary surrender of their charters in order to receive such new ones as the king should please to grant. For this purpose, courtiers and emissaries were sent to the more considerable corporations, to inspire them with terror, and intimate to them, that scarce one could escape, should the king exercise strict justice. This chiefly concerned the whigs and nonconformists, for the Tories were generally very ready blindly to obey the pleasure of the court. Jefferies particularly distinguished himself in his northern circuit at the summer assizes. He forgot nothing capable of terrifying the people, assuring them, that a surrender of their charters was the only way to avert the mischiefs which hung over their head. Other judges and emissaries did the same, and at last, the larger corporations being thus gained, the lesser necessarily followed. So, a sudden, and great change was seen in England, namely, the English nation without rights or privileges, but such as the king would vouchsafe to grant her; and what is more strange, the English themselves surrendered to Charles II. those very rights and privileges which they had defended with so much passion or rather fury, against the attempts of Charles I.

The king prevails to have the charters of the principal boroughs surrendered to him.  
 Kennet, p. 415.  
 R. Coke, p. 317.  
 Echard, III. p. 720.

1684.

The king  
musters his  
army.  
October 7.  
Echard,  
III. p. 716.

The tories  
in raptures  
on the ele-  
vation of  
the king's  
power.  
Id. p. 721.

The king  
vacates the  
ecclesiastical  
commission.  
Phillips,  
Echard,  
III. p. 716.

The duke of  
York  
blamed for  
the king's  
actions.  
Barhet,  
p. 582.  
Kennet,  
p. 415.

To make the people in some measure fully sensible of their new slavery, the king affected to muster his forces, which from one regiment of foot and one troop of horse-guards (raised by himself, with the murmurs of many of his subjects) were increased to four thousand compleatly trained and effective men. It might then be seen, that the members of parliament who opposed the raising, or at least the establishment of these guards, were not altogether in the wrong. But the zeal of the tory party was now arrived to such a height, that they looked on every thing which contributed to render the king absolute, as a sure means to ruin the whigs, and consequently as a triumph for them. They preposterously imagined, that the court only aimed at the destruction of that odious party, and was solely labouring for the tories. Accordingly, we find still some authors of this last party who represent the year 1684 as the most peaceable, the most quiet, and, in a word, the happiest year England had seen for some ages. Nothing was capable to open the eyes of these passionate men, who, against all probability, believed the court well affected both to the state and the protestant religion.

Nevertheless, the king did a thing this year which ought to have undeceived them. He dissolved the commission, granted in the year 1681, for the disposal of all ecclesiastical preferments. As the establishing this commission was in order to persuade his subjects, that he had the interest of the protestant religion at heart, he could not avoid appointing such commissioners as were thought to have the same sentiments. But finding himself at length in the situation he had wished for, this commission was too great a restraint, and therefore he revoked it to fill the vacant benefices agreeably to his own inclinations.

It must not be concealed, that most historians ascribe all the rigours exercised this year, and all the measures taken by the king for the advancement of his absolute power to the counsels of the duke his brother. That prince had gained so great an ascendant over the king, that he held him in a kind of subjection, and led him into measures productive of others, and so carried him farther than the king desired. Besides, that the king was naturally indolent, and loved his ease too much to engage in any affairs capable of disturbing his repose, he knew the genius and temper of the English much better than the duke of York, and was sensible of the great difficulty to preserve long a power acquired in so extraordinary a manner. But, on the other hand, after so many proceedings

proceedings to secure this power, he knew not how to retreat, and could not alter his conduct, without breaking entirely with the duke, which must have extremely embarrassed him. He could not change his principles and maxims, without an entire alteration in his court and council, and without putting himself into the hands of men of very different principles. Besides, his inclination did not lead him to it, and it was only this fear of disturbing his quiet, which caused him to consider the danger of his present proceedings. Mean while, as this danger was not yet near, and as all the kingdom appeared submissive, he kept off the evil day, and delayed coming to any determination.

However this be, the Hamborough company, to gain the good will of a prince, invested with such power, erected a marble statue to him in the middle of the Royal Exchange, with this pompous inscription on the pedestal:

CAROLO II. Cæsari Britannico, patriæ patri, regum optimo, clementissimo, augustissimo, generis humani delictis, utriusque fortunæ victori, pacis Europæ arbitro, Maris domino & vindici, societas mercatorum adventur. Angliæ, quæ per CCCC jam prope annos regia benignitate floret fidei intermeratæ, gratitudinis æternæ, hoc testimonium venerabunda posuit, anno sal. humanæ, MDCLXXXIV.<sup>b</sup>

Almost the whole month of January of the new year 1684-5. 1685, was spent either in prosecuting delinquents against the king and the duke, or in receiving the charters of the corporations, not yet surrendered, or in granting new ones on such conditions as the court thought proper. It may well be imagined, that these conditions were not prejudicial to the power acquired by the king. All complaints were suppressed, and the whole kingdom entirely subdued, the city of London not excepted, which had always opposed absolute power.

The king now finding himself at the height of his wishes, was willing to do a popular act, and published a declaration, drawn up by dr. Prat, in which, "he affectionately thanked his subjects for their great confidence in him, chiefly for their so freely resigning their local immunities and charters into his hands, lest the abuse of any of them should hereafter prove dangerous to the just prerogatives of the crown. This, he declared he esteemed as the peculiar honour of his reign, being such as none of

A statue erected to the king. Strype's survey of London. The inscription.

The king absolute.

In a declaration he thanks the corporations for the surrender of their charters. Echard, III. p. 721.

<sup>b</sup> This year, April 14, sir Leoline Jenkins resigned his place of secretary of state, wherein he was succeeded by

Sidney Godolphin, who was created a baron. Kennet, p. 415.

1684-5. "the most popular of all his late royal predecessors could ever have hoped for. Wherefore he thought himself more than ordinarily obliged to continue, as he had hitherto begun, to show the greatest moderation and benignity, in the exercise of so great a trust: resolving upon this occasion, to convince the highest pretenders to the commonweal, that as the crown was the first original, so it was still the surest guardian of all the people's lawful rights and privileges."

He forms  
new projects.  
Burnet,  
p. 604.  
Welwood,  
B. 426.

Notwithstanding all this, it is pretended, he had formed a project for an extraordinary change in the government: that he designed to recall the duke of Monmouth, to send the duke of York beyond sea, and call a free parliament. This seems to have been founded on some passages in the duke of Monmouth's pocket book, seized with his person in the following reign. We are further told, that the king had intimated, that if he lived but a month longer, he would find a way to make himself easy for the rest of his life<sup>1</sup>. But he lived not to execute this design. He died the 6th of February, fifty four years of age, and twenty-five since his restoration. The cause of his death being variously reported, some thinking it natural, others violent, I believe most instructive for the reader, what dr. Welwood says of it, who seems to have spoken of it with most impartiality.

He dies.

Extract out  
of dr. Wel-  
wood upon  
this subject,  
p. 122, &c.

"It's confessed, few princes come to die a sudden death, but the world is apt to attribute it to foul play; especially if attended with unusual circumstances in the time and manner of it.

" King

i Of this new scheme Burnet gives this account. There was at this time a new scheme formed, that very probably would have for ever broken the king and the duke. It was laid at the lady Portsmouth's. Barillon, lord Sunderland, and lord Godolphin, were in it. The duke of Monmouth came over secretly. And though he did not see the king, yet he went back very well pleased with his journey. The design was to begin with the sending the duke of York to Scotland. The king spoke to the duke concerning his going to Scotland; and he answered, there was no occasion for it. Upon which the king replied, that either the duke must go, or that he himself would

go thither. The king was observed to be colder and more reserved to the duke than ordinary. But what was under all this, was still a deep secret. Lord Hallifax was let into no part of it. He complained in council against lord Rochester, that there were many razures in the books of the treasury, and moved the king to go to the treasury chamber. So the king named the next Monday. And mr. May was sent for from Windsor, to come to court that day, which it was expected would prove a critical day. And it proved so indeed, though in a different way; the king being taken ill in the mean while, p. 604-606.

“ King Charles had a healthful constitution beyond most  
 “ men, and took great care to preserve it, by diet and exer-  
 “ cise, which naturally promise a long life: and it was more  
 “ extraordinary to see such a man die before threescore, than  
 “ another in the bloom of youth. Now, if he died a na-  
 “ tural death, it is agreed by all, that it must have been  
 “ an apoplexy. This disease seizes all the vital faculties at  
 “ once; and yet, for the most part, does not only give  
 “ some short warnings of its approach, by unusual affections  
 “ of the head, but many times is occasioned by some evi-  
 “ dent preceding cause. In king Charles’s case, there ap-  
 “ peared no visible cause, either near or remote, to which,  
 “ with any certainty of reason, his disease could be ascribed;  
 “ and the forerunners of it were rather to be found in his  
 “ stomach and bowels, than in the head. For, after he  
 “ was a bed, he was overheard to groan most of the night:  
 “ and both then, and next morning, before he fell into the  
 “ fit, he complained first of a heavy oppression in his sto-  
 “ mach and about his heart, and afterwards of a sharp pain  
 “ in those parts; all which symptoms had but little rela-  
 “ tion to an apoplexy. That morning there appeared to  
 “ every-body about him, a ghastliness and paleness in his  
 “ looks: and when he sat down to be shaved, just before  
 “ the fit took him, he could not sit straight, as he used to  
 “ do, but continued in a stooping posture, with his hand  
 “ upon his stomach, till the fit came. After he had been  
 “ brought out of it, by opening a vein, he complained of a  
 “ racking pain in his stomach, and of no indisposition any  
 “ where else: and during the whole time of his sickness,  
 “ and even when he seemed most insensible, he was ob-  
 “ served to lay his hand, for the most part, upon his sto-  
 “ mach, in a moaning posture, and continued so to his  
 “ death: and so violent was the pain, that when all hopes  
 “ were gone, the physicians were desired to use all their art  
 “ to procure him an easy death.

“ So much for the distemper itself. There remains  
 “ some things to be taken notice of, that fell out before  
 “ and after his death. A few days before he was taken  
 “ ill, king Charles being in company where the present  
 “ posture of affairs was discoursed of, there escaped him  
 “ some warm expressions, about the uneasy circumstances  
 “ he was plunged into, and the ill measures had been given  
 “ him: and how, in a certain particular affair, he was  
 “ pleased to mention, He had been abused; adding in some  
 “ passion, That if he lived but a month longer, he would  
 “ find

1684 5.

“ imputed partly to the bishop’s cold way of speaking, and  
 “ partly to the ill opinion they had of him at court, as too  
 “ busy in opposition to popery. Sandcroft made a very  
 “ weighty exhortation to him; in which he used a good  
 “ degree of freedom, which he said was necessary, since  
 “ he was going to be judged by one who was no respecter  
 “ of persons. To him the king made no answer neither;  
 “ nor yet to Ken, though the most in favour with him  
 “ of all the bishops. Some imputed this to an insensibi-  
 “ lity, of which too visible an instance appeared, since  
 “ lady Portsmouth sat in the bed, taking care of him  
 “ as a wife of a husband. Others guessed truer; that it  
 “ would appear he was of another religion. On Thurs-  
 “ day a second fit returned. And then the physicians told  
 “ the duke, that the king was not like to live a day to  
 “ an end.

“ The duke immediately ordered Hudleston, the priest  
 “ that had a great hand in saving the king at Worcester  
 “ fight, (for which he was excepted out of all severe acts  
 “ that were made against priests) to be brought to the lodg-  
 “ ings under the bed-chamber: And, when he was told  
 “ what was to be done, he was in great confusion for  
 “ he had no hostie about him. But he went to another  
 “ priest that lived in the court, who gave him the pix  
 “ with an hostie in it. But that poor priest was so fright-  
 “ ed, that he ran out of Whitehall in such haste, that he  
 “ struck against a post, and seemed to be in a fit of mad-  
 “ ness with fear. As soon as Hudleston had prepared every  
 “ thing that was necessary, the duke whispered the king in  
 “ the ear; upon that the king ordered, that all who were  
 “ in the bed-chamber should withdraw, except the earls of  
 “ Bath and Feversham; and the door was double locked.  
 “ The company was kept out half an hour: only lord  
 “ Feversham opened the door once, and called for a glass  
 “ of water. Cardinal Howard told me at Rome, that Hud-  
 “ leston, according to the relation that he sent thither,  
 “ made the king go through some acts of contrition, and,  
 “ after such a confession as he could then make, he gave  
 “ him absolution, and the other sacraments. The hostie  
 “ stuck in his throat: and that was the occasion of cal-  
 “ ling for a glass of water. He also gave him extreme  
 “ unction. All must have been performed very supersti-  
 “ cially, since it was so soon ended. But the king seemed  
 “ to be at great ease upon it. It was given out, that the  
 “ king said to Hudleston, that he had saved him twice,  
 “ first

“ first his body and now his soul; and that he asked him, 1684-5.  
 “ if he would have him declare himself to be of their  
 “ church. But it seems, he was prepared for this, and so  
 “ diverted the king from it; and said, he took it upon  
 “ him to satisfy the world in that particular. But though  
 “ by the principles of all religion whatsoever, he ought to  
 “ have obliged him to make open profession of his religi-  
 “ on; yet, it seems, the consequences of that were ap-  
 “ prehended; for, without doubt, that poor priest acted  
 “ by the directions that were given him. The company  
 “ was suffered to come in. And the king went through  
 “ the agonies of death, with a calm and a constancy, that  
 “ amazed all who were about him, and knew how he had  
 “ lived. This made some conclude, that he had made a  
 “ will, and that his quiet was the effect of that. Ken ap-  
 “ plied himself much to the awaking the king’s consci-  
 “ ence. He spoke with a great elevation, both of thought  
 “ and expression, like a man inspired, as those who were  
 “ present told me. He resumed the matter often, and  
 “ pronounced many short ejaculations and prayers, which  
 “ affected all that were present, except him that was the  
 “ most concerned, who seemed to take no notice of him,  
 “ and made no answers to him. He pressed the king six  
 “ or seven times to receive the sacrament; but the king  
 “ always declined it, saying, he was very weak. A table  
 “ with the elements upon it, ready to be consecrated, was  
 “ brought into the room, which occasioned a report to be  
 “ then spread about, that he had received it. Ken pressed  
 “ him to declare, that he desired it, and that he died in  
 “ the communion of the church of England. To that he an-  
 “ swered nothing. Ken asked him, if he desired absolution  
 “ of his sins. It seems the king, if he then thought any  
 “ thing at all, thought that would do him no hurt. So  
 “ Ken pronounced it over him: for which he was blamed,  
 “ since the king expressed no sense, or sorrow for his past life,  
 “ nor any purpose of amendment. It was thought to be a  
 “ prostitution of the peace of the church, to give it to one,  
 “ who, after a life led as the king’s had been, seemed to  
 “ harden himself against every thing that could be said to  
 “ him. Ken was also censured for another piece of inde-  
 “ cency: he presented the duke of Richmond, lady Portf-  
 “ mouth’s son, to be blessed by the king. Upon this, some  
 “ that were in the room cried out, the king was their com-  
 “ mon father. And upon that all kneeled down for his  
 “ blessing, which he gave them. The king suffered much  
 “ inwardly,

1684-5. " inwardly, and said, he was burnt up within ; of which  
 " he complained often, but with great decency. He said  
 " once, he hoped he should climb up to Heaven's gates, which  
 " was the only word favouring of religion that he was heard  
 " to speak.

" He gathered all his strength to speak his last words to  
 " the duke, to which every one hearkened with great at-  
 " tention. He expressed his kindness to him, and that he  
 " now delivered all over to him with great joy. He re-  
 " commended lady Portsmouth over and over again to him.  
 " He said, he had always loved her, and he loved her  
 " now to the last ; and besought the duke, in as melting  
 " words as he could fetch out, to be very kind to her  
 " and to her son. He recommended his other children to  
 " him : and concluded, let not poor Nelly starve, that was  
 " mrs. Gwyn. But he said nothing of the queen, nor any  
 " one word of his people, or of his servants ; nor did he  
 " speak one word of religion, or concerning the payment  
 " of his debts, though he left behind him about ninety thou-  
 " sand guineas, which he had gathered either out of the  
 " privy purse, or out of the money which was sent him  
 " from France, or by other methods, and which he had  
 " kept so secretly, that no person whatsoever knew any  
 " thing of it.

" He continued in the agony till Friday at eleven a clock,  
 " being the 6th of February 1684-5 ; and then died in the  
 " fifty fourth year of his age, after he had reigned, if  
 " we reckon from his father's death, thirty six years and  
 " eight days ; or if we reckon from his restoration, twenty  
 " four years, eight months, and nine days. There were  
 " many very apparent suspicions of his being poisoned :  
 " for though the first access looked like an apoplexy, yet  
 " it was plain in the progress of it, that it was no apo-  
 " plexy. When his body was opened, the physicians who  
 " viewed it, were, as it were, led by those, who might  
 " suspect the truth, to look upon the parts that were cer-  
 " tainly sound. But both Lower, and Needham, two fa-  
 " mous physicians, told me, they plainly discerned two or  
 " three blue spots on the outside of the stomach. Need-  
 " ham called twice to have it opened, but the surgeons  
 " seemed not to hear him. And when he moved it the  
 " second time, he, as he told me, heard Lower say to one  
 " that stood next him, Needham will undo us, calling  
 " thus to have the stomach opened ; for he may see they  
 " will not do it : they were diverted to look to somewhat  
 " else ;

“ else : and when they returned to look upon the stomach  
 “ it was carried away : So that it was never viewed. Le  
 “ Fevre a French physician, told me, he saw a blackness  
 “ in his shoulder : upon which he made an incision, and  
 “ saw it was all mortified. Short, another physician, who  
 “ was a papist, but after a form of his own, did very much  
 “ suspect foul dealing. And he had talked more freely of  
 “ it, than any of the protestants durst do at that time.  
 “ But he was not long after taken suddenly ill, upon a  
 “ large draught of wormwood wine, which he had drank  
 “ in the house of a popish patient that lived near the Tower,  
 “ who had sent for him, of which he died ; and, as he said  
 “ to Lower, Millington, and some other physicians, he  
 “ believed that he himself was poisoned for his having spoken  
 “ so freely of the king’s death.

“ The king’s body was indecently neglected ; some parts  
 “ of his inwards, and some pieces of the fat, were left in  
 “ the water in which they were washed : all which were  
 “ so carelessly looked after, that the water being poured out  
 “ at a scullery hole, that went to a drain, in the mouth of  
 “ which a grate lay, these were seen lying on the grate  
 “ many days after. His funeral was very mean. He did  
 “ not lie in state ; no mournings were given : and the  
 “ expence of it was not equal to what an ordinary nobleman’s funeral will rise to. Many upon this said, that  
 “ he better deserved from his brother, than to be thus  
 “ ungratefully treated in ceremonies that are publick, and  
 “ that make an impression on those who see them, and who  
 “ will make severe observations and inferences upon such  
 “ omissions.

“ But since I have mentioned the suspicions of poison as  
 “ the cause of his death, I must add, that I never heard  
 “ any lay those suspicions on his brother. But his dying so  
 “ critically, as it were in the minute in which he seemed  
 “ to begin a turn of affairs, made it to be generally the  
 “ more believed, and that the papists had done it, either  
 “ by the means of some of lady Portsmouth’s servants, or,  
 “ as some fancied, by poisoned snuff : for so many of the  
 “ small veins of the brain were burst, that the brain was  
 “ in great disorder, and no judgment could be made concerning it. To this I shall add a very surprising story,  
 “ that I had in November 1709, from mr Henly of Hampshire. He told me, that, when the duchess of Portsmouth came over to England in 1699, he heard, that  
 “ she talked as if king Charles had been poisoned ; which

1684-5. " he desiring to have from her own mouth, she gave him this account of it. She was always pressing the king to make both himself and his people easy, and to come to a full agreement with his parliament: and he was come to a final resolution of sending away his brother, and of calling a parliament; which was to be executed the next day, after he fell into that fit of which he died. She was put upon the secret, and spoke of it to no person alive but to her confessor: but the confessor, she believed, told it to some, who seeing what was to follow, took that wicked course to prevent it. Having this from so worthy a person, as I have set it down without adding the least circumstance to it, I thought it too important not to be mentioned in this history. It discovers both the knavery of confessors, and the practices of papists so evidently, that there is no need of making any further reflections on it."

Other particulars relating to the death of king Charles II. Echar, III. p. 722.

Kennet, p. 418.

Id. p. 416, 440.

Remark.

These two relations of the death of king Charles II. agree in the principal circumstances; particularly in the suspicion of his being poisoned. Several other accounts have been given of his death, in which are inserted circumstances not to be met with here, and others omitted which are here related. It is said, that at the persuasion of bishop Ken, the king at last resolved to dismiss the duchess of Portsmouth, and sending for the queen, asked her pardon for the injury he had done her. It is added, that he had the satisfaction of her particular forgiveness. This directly contradicts dr. Burnet's account of the duchess of Portsmouth. Some say, Hudleston was not brought to the king till he had lost all sense, and that he received the sacrament of extreme unction, without giving the least sign either of his approbation or refusal. It is pretended, he advised the duke his brother, not to think of introducing popery into England, because it was an impracticable undertaking. Lastly, some say only, that the physicians and surgeons inspecting the body, discovered no mark of poison, and entirely omit the circumstances of the stomach, mentioned in the two foregoing relations, though they own the suspicion of the king's being poisoned, but represent this suspicion as coming from the enemies of the duke and of the papists.

It is universally agreed, that no man had the boldness to accuse the duke of poisoning his brother. But it is not to be concluded from thence, that no man believed it. Those who might have entertained this suspicion, took care not to expose themselves to a danger so great as that of accusing the successor,

successor, without being able to prove it. The papists in general are accused, but this is so undeterminate a word, that one knows not to whom to apply it, when they are separated from the duke of York their head. Besides, the inspection of the dead body was managed in a proper way to dispel all suspicions of poison; but who directed the physicians or surgeons is a secret, at least the brother of the deceased does not appear to have concerned himself much in this inspection, though the suspicions of poison were very violent. All this creates such an obscurity as gives every man room to judge as he pleases. Thus much is certain, there is no formal proof that king Charles II. was poisoned, or if he was, the authors of his death remain hitherto concealed.

It is not very strange that the historians or others, should disagree in their character of Charles II. when it is considered, that he was the head and protector of one of the two parties, and the persecutor of the other. This must have necessarily produced a diversity of characters, according as they are given by tories or whigs. When we read successively the writers of the two parties, who have spoken of this prince in general, or given his character, we are almost apt to think, they speak of two different kings of the same name. The one by several omissions endeavour to cover all his faults, or if they are mentioned, it is very slightly, and always with some addition or insinuation tending to justify them. The others insist chiefly upon what may blacken his character, and show, that he acted upon very ill motives, and upon principles directly contrary to the good of the kingdom. If they speak of his good qualities, it is only to render him more faulty, and demonstrate that he transgressed not through ignorance, but with premeditation. Which ever way I take to draw the character of this prince, I cannot avoid the censure of one or the other party, if I speak as from myself, and I should not gain much in going upon the testimony of either party. However, as the reader, doubtless, expects to know something more of the character of this king than could be learnt from the history of his reign. I chuse to insert dr. Burnet's account in the history of his own times. I own this, of all the characters of Charles II. seems to me, in the whole, to be most like, and most agreeable to the history of his life. I could wish however, this illustrious prelate had omitted, or at least softened some strokes, which appear to me a little over charged, and seem to discover some passion in the author. However

1684-5.

A remark  
on the cha-  
racter of  
Charles II.

T. I. p. 621.

that

1684-5. that be, he concludes the history of this prince in the following manner:

“ Thus lived and died king Charles the second. He was the greatest instance in history of the various revolutions of which any one man seemed capable. He was bred up the first twelve years of his life with the splendour that became the heir of so great a crown. After that he passed through eighteen years in great inequalities, unhappy in the war, in the loss of his father, and of the crown of England. Scotland did not only receive him, though upon terms hard of digestion, but made an attempt upon England for him, though a feeble one. He lost the battle of Worcester with too much indifference: and then he shewed more care of his person than became one, who had so much at stake. He wandered about England for ten weeks after that, hiding from place to place. But under all the apprehensions he had then upon him, he shewed a temper so careless, and so much turned to levity, that he was then diverting himself with little household sports, in as unconcerned a manner as if he had made no loss, and had been in no danger at all. He got at last out of England. But he had been obliged to so many, who had been faithful to him and careful of him, that he seemed afterwards to resolve to make an equal return to them all. And finding it not easy to reward them all as they deserved, he forgot them all alike. Most princes seem to have this pretty deep in them; and to think that they ought never to remember past services, but that their acceptance of them is a full reward. He of all in our age, exerted this piece of prerogative in the amplest manner: for he never seemed to charge his memory, or to trouble his thoughts with the sense of any of the services that had been done him. While he was abroad at Paris, Colen, or Brussels, he never seemed to lay any thing to heart. He pursued all his diversions and irregular pleasures in a free career; and seemed to be as serene under the loss of a crown as the greatest philosopher could have been. Nor did he willingly hearken to any of those projects, with which he often complained that his chancellor persecuted him. That in which he seemed most concerned was, to find money for supporting his expence. And it was often said, that if Cromwell would have compounded the matter, and have given him a good round pension, that he might have been induced to resign his title to him. During his exile he delivered himself so  
“ entirely

entirely up to his pleasures, that he became incapable of application. He spent little of his time in reading, or study, and yet less in thinking. And in the state his affairs were then in, he accustomed himself to say to every person, and upon all occasions, that which he thought would please most: so that words or promises went very easily from him. And he had so ill an opinion of mankind, that he thought the great art of living and governing was, to manage all things and all persons with a depth of craft and dissimulation. And in that, few men in the world could put on the appearances of sincerity better than he could: under which so much artifice was usually hid, that in conclusion he could deceive none, for all were become mistrustful of him. He had great vices, but scarce any virtues to correct them. He had in him some vices that were less hurtful, which corrected his more hurtful ones. He was, during the active part of life, given up to sloth and lewdness to such a degree, that he hated business, and could not bear the engaging in any thing that gave him much trouble, or put him under any constraint. And though he desired to become absolute, and to overturn both our religion and our laws, yet he would neither run the risk, nor give himself the trouble, which so great a design required. He had an appearance of gentleness in his outward deportment: but he seemed to have no bowels, nor tenderness in his nature: and in the end of his life he became cruel. He was apt to forgive all crimes even blood itself: yet he never forgave any thing that was done against himself, after his first and general act of indemnity, which was to be reckoned as done rather upon maxims of state, than inclinations of mercy. He delivered himself up to a most enormous course of vice, without any sort of restraint, even from the considerations of the nearest relations; the most studied extravagancies that way seemed to the very last to be much delighted in, and pursued by him. He had the art of making all people grow fond of him at first, by a softness in his whole way of conversation, as he was certainly the best bred man of the age. But when it appeared how little could be built on his promise, they were cured of the fondness that he was apt to raise in them. When he saw young men of quality, who had something more than ordinary in them, he drew them about him, and set himself to corrupt them both in religion and morality; in which

1684-5. " he proved so unhappily successful, that he left England  
 " much changed at his death, from what he had found it  
 " at his restoration. He loved to talk over all the sto-  
 " ries of his life to every new man that came about him.  
 " His stay in Scotland, and the share he had in the war  
 " of Paris, in carrying messages from the one side to the  
 " other, were his common topicks. He went over these  
 " in a very graceful manner; but so often, and copiously,  
 " that all those who had been long accustomed to them  
 " grew weary of them: and when he entered on those  
 " stories, they usually withdrew: so that he often began  
 " them in a full audience, and before he had done, there  
 " were not above four or five left about him; which drew  
 " a severe jest from Willmot earl of Rochester. He said,  
 " He wondered to see a man have so good a memory, as to  
 " repeat the same story without losing the least circumstance,  
 " and yet not remember that he had told it to the same per-  
 " sons the very day before. This made him fond of stran-  
 " gers; for they hearkened to all his often repeated stories,  
 " and went away as in a rapture, at such an uncommon  
 " condescension in a king.

" His person and temper, his vices as well as his fortune  
 " resemble the character that we have given us of Tiberi-  
 " us, so much, that it were easy to draw a parallel be-  
 " tween them. Tiberius's banishment, and his coming  
 " afterwards to reign, makes the comparison in that respect  
 " come pretty near. His hating of business, and his love  
 " of pleasures, his raising of favourites, and trusting them  
 " entirely, and his pulling them down, and hating them  
 " excessively; his art of covering deep designs, particularly  
 " of revenge, with an appearance of softness, brings them  
 " so near a likeness, that I did not wonder much to ob-  
 " serve the resemblance of their face and person. At Rome  
 " I saw one of the last statues made for Tiberius after he  
 " had lost his teeth. But, bating the alteration which that  
 " made, it was so like king Charles, that prince Borghese  
 " and Signior Dominico to whom it belonged, did agree  
 " with me in thinking that it looked like a statue made for  
 " him.

" Few things ever went near his heart; the duke of Glou-  
 " cester's death seemed to touch him much. But those who  
 " knew him best thought it was, because he had lost him,  
 " by whom only he could have balanced the surviving bro-  
 " ther, whom he hated, and yet embroiled all his affairs to  
 " preserve the succession to him,

His

“ His ill conduct in the first Dutch war, and those ter- 1684-5.  
 “ rible calamities of the plague, and fire of London, with  
 “ that loss and reproach which he suffered by the insult at  
 “ Chatham, made all people conclude, there was a curse  
 “ upon his government. His throwing the publick hatred  
 “ at that time upon lord Clarendon, was both unjust and  
 “ ungrateful. And when his people had brought him out  
 “ of all his difficulties, upon his entering into the triple al-  
 “ liance, his selling that to France, and his entering on the  
 “ second Dutch war with as little colour as he had for the  
 “ first; his beginning it with the attempt on the Dutch  
 “ Smyrna fleet; the shutting up the Exchequer; and his  
 “ declaration for toleration, which was a step for the in-  
 “ troduction of popery; make such a chain of black actions  
 “ flowing from blacker designs, that it amazed those who  
 “ had known all this, to see with what impudent strains  
 “ of flattery addresses were penned during his life, and yet  
 “ more grossly after his death. His contributing so much  
 “ to the raising the greatness of France, chiefly at sea, was  
 “ such an error, that it could not flow from want of thought  
 “ or of true sense. Rouvigny told me, he desired that all  
 “ the methods the French took in the increase and conduct  
 “ of their naval force might be sent him. And, he said,  
 “ he seemed to study them with concern and zeal. He  
 “ shewed what errors they committed, and how they ought  
 “ to be corrected, as if he had been a viceroy to France,  
 “ rather than a king that ought to have watched over, and  
 “ prevented the progress they made, as the greatest of all  
 “ the mischiefs that could happen to him or to his people.  
 “ They that judged the most favourable of this, thought it  
 “ was done out of revenge to the Dutch, that, with the  
 “ assistance of so great a fleet as France could join to his  
 “ own, he might be able to destroy them. But others put  
 “ a worse construction on it; and thought, that seeing he  
 “ could not quite master or deceive his subjects by his own  
 “ strength and management, he was willing to help for-  
 “ ward the greatness of the French at sea, that by their as-  
 “ sistance he might more certainly subdue his own people;  
 “ according to what was generally believed to have fallen  
 “ from lord Clifford, that if the king must be in a depen-  
 “ dence, it was better to pay it to a great and generous  
 “ king, than to five hundred of his own insolent subjects.  
 “ No part of his character looked wicked as well as  
 “ meaner, than that he, all the while that he was profes-  
 “ sing to be of the church of England, expressing both zeal  
 “ and

1684-5. " and affection to it, was yet secretly reconciled to the church of Rome: thus mocking God, and deceiving the world with so gross a prevarication. And his not having the honesty or courage to own it at the last: his not shewing any sign of the least remorse for his ill led life, or any tenderness either for his subjects in general, or for the queen and his servants: and his recommending only his mistresses and their children to his brother's care, would have been a strange conclusion to any other life, but was well enough suited to all the other parts of his.

" The two papers found in his strong box concerning religion, and afterwards published by his brother, looked like study and reasoning. Tenniferon told me, he saw the original in Pepy's hand, to whom king James trusted them for some time. They were interlined in several places. And the interlinings seemed to be writ in a hand different from that in which the papers were writ. But he was not so well acquainted with the king's hand, as to make any judgment in the matter, whether they were writ by him or not. All that knew him when they read them, did, without any sort of doubting, conclude, that he never composed them: for he never read the scriptures, nor laid things together, further than to turn them to a jest, or for some lively expression. These papers were probably writ either by lord Bristol, or by lord Aubigny, who knew the secret of his religion, and gave him those papers, as abstracts of some discourses they had with him on those heads, to keep him fixed to them. And it is very probable, that they apprehending their danger, if any such papers had been found about him writ in their hand, might prevail with him to copy them out himself, though his laziness that way made it certainly no easy thing to bring him to give himself so much trouble. He had talked over a great part of them to myself: so that as soon as I saw them, I remembered his expressions, and perceived that he had made himself master of the argument, as far as those papers could carry him. But the publishing them shewed a want of judgment, or of regard to his memory in those who did it: for the greatest kindness that could be shewn to his memory, would have been, to let both his papers and himself be forgotten."

After

After seeing in this character, all that can be said to the disadvantage of Charles II. the reader doubtless will not be displeased to behold the picture of the same prince, drawn a little differently by a very able hand, I mean John Sheffield earl of Mulgrave, who was no enemy to the king, or the royal family. He has laboured this description with all possible care. I omit a short introduction concerning the author, to come at once to the character of the king.

“ As to the king’s religion, it was more deism than popery; which he owed more to the liveliness of his parts, and carelessness of his temper, than either to reading, or much consideration; for his quickness of apprehension, at first view, could discern through the several cheats of pious pretences; and his natural laziness confirmed him in an equal mistrust of them all, for fear he should be troubled with examining which religion was best. If in his early travels, and late administration, he seemed a little biased to one sort of religion; the first is only to be imputed to a certain easiness of temper, and a complaisance for that company he then was forced to keep; and the last was no more than his being tired, (which he soon was in any difficulty) with those bold oppositions in parliament, which made him almost throw himself into the arms of a Roman catholick party, so remarkable in England for their loyalty, who embraced him gladly, and lulled him asleep with those enchanting songs of absolute sovereignty, which the best and wisest of princes are often unable to resist. And though he engaged himself on that side more fully, at a time when it is in vain, and too late to dissemble, we ought less to wonder at it, than to consider that our very judgments are apt to grow in time as partial as our affections: and thus, by accident only, he became of their opinion in his weakness, who had so much endeavoured always to contribute to his power. He loved ease and quiet; to which his unnecessary wars are so far from being a contradiction, that they are rather a proof of it, since they were made chiefly to comply with those persons, whose dissatisfaction would have proved more uneasy to one of his humour, than all that distant noise of cannon, which he would often listen to with a great deal of tranquillity. Besides, the great and almost only pleasure of mind he appeared addicted to, was shipping and sea affairs; which seemed to be so much his talent both for knowledge as well as inclination, that a war of that kind was rather an

Buckingham’s works, t. II. p. 79

“ enter-

1684-5. "entertainment, than any disturbance to his thoughts. If  
 "he did not go himself at the head of so magnificent a  
 "fleet, it is only to be imputed to that eagerness of mili-  
 "tary glory in his brother: who, under the shew of a  
 "decent care for preserving the royal person from danger,  
 "engrossed all that sort of honour to himself, with as much  
 "jealousy of any other's interposing in it, as a king of  
 "another temper would have had of his, though without  
 "reason.——It is certain, no prince was ever more fit-  
 "ted by nature for his country's interest, than he was in  
 "all his maritime inclinations; which might have proved  
 "of sufficient advantage to this nation, if he had been as  
 "careful in depressing all such improvements in France,  
 "as of advancing and encouraging our own: but it seems  
 "he wanted jealousy in all his inclinations, which leads us  
 "to consider him in his pleasures: where he was rather  
 "abandoned than luxurious; and, like our female liber-  
 "tines, apter to be debauched for the satisfaction of others,  
 "than to seek with choice, where most to please himself,  
 "I am of opinion also, that in his latter time, there was as  
 "much of laziness as of love, in all those hours he passed  
 "among his mistresses; who, after all, served only to fill  
 "up his seraglio, while a bewitching kind of pleasure,  
 "called fantering, and talking without any constraint, was  
 "the true sultana queen he delighted in.

"He was surely inclined to justice; for nothing else  
 "would have retained him so fast to the succession of a  
 "brother, against a son he was so fond of, and the hu-  
 "mour of a party which he so much feared. I am wil-  
 "ling also to impute to his justice, whatever seems in some  
 "measure to contradict the general opinion of his clem-  
 "ency; as his suffering always the rigour of the law  
 "to proceed, not only against all highwaymen, but also  
 "several others, in whose cases the lawyers, (according  
 "to their wonted custom) had used sometimes a great  
 "deal of hardship and severity. His understanding was  
 "quick and lively in little things, and sometimes would  
 "soar high enough in great ones, but unable to keep it  
 "up with any long attention or application. Witty in  
 "all sorts of conversation; and telling a story so well, that  
 "not out of flattery, but for the pleasure of hearing it,  
 "we used to seem ignorant of what he had repeated to  
 "us ten times before, as a good comedy will bear the be-  
 "ing seen often. Of a wonderful mixture; losing all his  
 "time, and till of late setting his whole heart on the fair  
 "sex,

“ sex, yet neither angry with rivals, nor in the least nice  
 “ as to their being beloved; and while he sacrificed all  
 “ things to his mistresses, he would use to grudge and be  
 “ uneasy at their losing a little of it again at play, though  
 “ never so necessary for their diversion: nor would he  
 “ venture five pounds at tennis to those servants, who  
 “ might obtain as many thousands, either before he came  
 “ thither, or as soon as he left off. Not false to his word,  
 “ but full of dissimulation, and very adroit at it, yet no  
 “ man easier to be imposed on; for his great dexterity was  
 “ in cozening himself, by gaining a little one way, while  
 “ it cost him ten times as much another; and by caressing  
 “ those persons most, who had deluded him the ofteneft;  
 “ and yet the quickest in the world at spying such a ridi-  
 “ cule in another. Familiar, easy, and good natured;  
 “ but for great offences severe and inflexible: also in one  
 “ week’s absence, quite forgetting those servants, to whose  
 “ fates he could hardly deny any thing. In the midst of  
 “ all his remissness, so industrious and indefatigable on some  
 “ particular occasions, that no man would either toil longer,  
 “ or be able to manage it better.

“ He was so liberal, as to ruin his affairs by it; for  
 “ want in a king of England, turns things just upside down,  
 “ and exposes a prince to his people’s mercy. It did yet  
 “ worse in him, for it forced him also to depend on his  
 “ great neighbour of France; who played the broker with  
 “ him sufficiently in all those times of extremity. Yet this  
 “ profuseness of his did not so much proceed from his over-  
 “ valuing those he favoured, as from his undervalu-  
 “ ing any sums of money which he did not see; though  
 “ he found his error in this, but I confess a little of the  
 “ latest. He had so natural an aversion to all formality,  
 “ that with as much wit as most kings ever had, and  
 “ with as majestick a mein, yet he could not on premeditation  
 “ act the part of a king for a moment, either at parli-  
 “ ament, or at council, either in words or gesture; which  
 “ carried him into the other extreme, more inconvenient  
 “ of the two, of letting all distinction and ceremony fall  
 “ to the ground, as useless and soppish. His temper, both  
 “ of body and mind, was admirable, which made him an  
 “ easy generous lover, a civil obliging husband, a friendly  
 “ brother, an indulgent father, and a good natured master.  
 “ If he had been as solicitous about improving the facul-  
 “ ties of his mind, as he was in the management of his  
 “ bodily health; though, alas! the one proved unable to  
 VOL. XI. U u “ make

1684-5. " make his life long, the other had not failed to have  
 " made it famous. He was an illustrious exception to all  
 " the common rules of physiognomy: for with a most Sa-  
 " turnine harsh sort of countenance, he was both of a merry  
 " and merciful disposition; and in the last thirty years of his  
 " life, as fortunate, as those of his father had been dismal  
 " and tumultuous.

" If his death has been by some suspected of being un-  
 " timely, it may be partly imputed to his extreme healthy  
 " constitution, which made the world as much surprized  
 " at his dying before threescore, as if nothing but an ill  
 " accident could have killed him. I would not say any  
 " thing on so sad a subject, if I did not think silence itself  
 " would in such a case signify too much; and therefore, as  
 " an impartial writer, I am obliged to observe, that the  
 " most knowing, and most discerning of his physicians  
 " [doctor Short] did not only believe him poisoned, but  
 " thought himself so too not long after, for having declared  
 " his opinion a little too boldly. But here I must needs  
 " take notice of an unusual piece of justice, which yet all  
 " the world has almost unanimously agreed in; I mean, in  
 " not suspecting his successor of the least connivance in  
 " so horrid a villany; and perhaps there was never a more  
 " remarkable instance of the wonderful power of truth and  
 " innocence; for it is next to a miracle, that so unfortu-  
 " nate a prince, in the midst of all those disadvantages he  
 " lies under, should be yet cleared of this, even by his  
 " greatest enemies; notwithstanding all those circumstan-  
 " ces that used to give a suspicion, and that extreme ma-  
 " lice which has of late attended him in all his other ac-  
 " tions."

A compari-  
 son between  
 the two suc-  
 cessing Cha-  
 racters.

After giving these different characters of king Charles II.  
 drawn by such able hands, I think myself obliged to make  
 a sort of parallel, in order to assist the reader in the disco-  
 very of the truth. Dr. Burnet bishop of Salisbury was a  
 Scotchman. He had been educated among the episcopa-  
 lians, but however, was always accused of preserving a tinc-  
 ture of presbyterianism, the religion of his country, when  
 free

I R. Coke says, that king Charles  
 left the nation more vitiated and de-  
 bauched in their manners, than ever  
 it was by any other king; having not  
 only squandered away the ancient re-  
 liques of the crown, which were

esteemed sacred, and which should have  
 supported it against foreign force and  
 intestine discord, but left such a debt  
 upon it as never before was heard of,  
 nor contracted by such means, tom.  
 II. p. 320.

free to pursue his inclination. He is likewise accused of 1684-5. having been entirely in the whig party. In short, he had no reason to be pleased with either Charles II. or James II. and therefore we must read with caution whatever he says, not reconcileable with the known actions of Charles II. or expressly contradicted by others.

It is not difficult to discover, that Burnet's picture of Charles II. is very much charged. The painter has strongly drawn all the lines, which he thought might beget a likeness between the picture and the original, without any regard to the reputation of this prince. It is even seen, that possibly he spoke with prejudice, and by this prejudice, was led to credit too lightly what he had received upon hearsay to the king's disadvantage. For instance, what he affirms, that Charles, after the battle of Worcester, showed a temper so careless, that he was then diverting himself with trifles in as unconcerned a manner, as if he had sustained no loss, and been in no danger at all, appears to me a little aggravated. It is not even probable, that the bishop could be informed of the king's actions at that time, by eye-witnesses. When he says, the king had great vices, but scarce any virtues to correct them, this plainly appears to be the language of passion and prejudice. When he says again, the king never forgave any thing that was done against himself, this must be aggravated. For if he was merciless to the lord Ruffel, colonel Sidney, sir Thomas Armstrong, and some others, it cannot from thence be inferred, that he never forgave. Such expressions excepted, which discover some passion in the author, the rest of Charles II's character is true in general. This I believe, because I find it agreeable to the history of his reign, and because the earl of Mulgrave has in his picture drawn the same lines with dr. Burnet, to express his likeness. All the difference between these two authors, is, that in the bishop's picture, the principal lines are strongly expressed, and much softened in the earl's.

The earl of Mulgrave, afterwards marquis of Nor-manby, and then duke of Buckinghamshire, was entirely in the tory party, and if common report may be credited, his religion, like that of Charles II. was deism. In his description of this prince, he denies not the general suspicion of his being poisoned. Burnet says also the same thing. The earl insists that the duke of York was not suspected of the least connivance at so horrid a villany. The same

1684-5.

is likewise to be found in Burnet. If the last says, king Charles was a papist, this is not denied by the earl. He only imputes it to two causes, first, to a complaisance for the company he was forced to keep in his exile; and secondly, to the opposition he met with in parliaments, which threw him into the arms of the papists. If the first of these causes be true, the second cannot be so, since the king was not twice a papist. Besides the oppositions in parliament were partly owing to a belief, that he designed to introduce popery.

Burnet says, Charles was incapable of any application. The earl says the same. The bishop says, the king was for rendering himself absolute. If the earl says it not in express terms, he sufficiently intimates it, by saying, "That the Roman catholick party lulled him asleep with the enchanting songs of sovereignty and prerogative. Burnet says, the king was apt to forgive all crimes, but never forgive any thing that was done against himself. The earl praises his clemency, and says, "he was easy and good-natured in trifles, but in great affairs severe and inflexible." This may be the bishop's meaning expressed in other words.

The stories which the king loved to talk over, are in both characters. The only difference is, that Burnet says, the company grew weary of them, and the earl says, the hearers were pleased with the repetition. But the raillery of the earl of Rochester turns the balance for the bishop.

Burnet says, Charles engaged in two wars against Holland, without any colour, and the earl calls these wars unnecessary.

Burnet says, he contributed to the raising of the greatness of France at sea, and the earl says, he was not sufficiently careful to depress the maritime improvements of France, and that here he wanted jealousy. Is not this much the same thing?

In short, let these two pictures be compared with all possible exactness, and they will both be found very like; but that the two painters had different views, and pursued different methods. The one proposed to express strongly the lines which might most contribute to a resemblance with the original, without regarding the beauty of the picture in itself. The other, without omitting the same lines, which could not be done and the likeness preserved, has taken

taken all possible care to soften them, in order to hide, as much as lay in his power, the deformities of the original. In a word, the one has given us an ugly, and the other a beautiful likeness. This doubtless, induced the earl to suppress several strokes of his pencil, which might have improved the resemblance, but would have been prejudicial to the end he proposed in his work<sup>m</sup>.

m I. King Charles II. left no issue by his queen, Donna Catherina, daughter of John IV. king of Portugal. But by his several mistresses, he had the following children.

1. By Mrs. Lucy Walters, daughter of Richard Walters, Esq; James duke of Monmouth, born at Rotterdam, April 9, 1649. beheaded on Tower-hill, July 15, 1685. He married in 1665, Anne Soot, daughter of Francis earl of Buckleugh in Scotland.

2. By Mrs. Elizabeth Killigrew, viscountess Shannon, daughter of Mr William Killigrew, Charlot Jemia-Henrietta-Maria-Fitz-roy, who died in 1684. Her husbands were, James Howard, and Sir William Paston earl of Yarmouth.

3. By Mrs. Catharine Peg, daughter of Thomas Peg Esq; Charles Fitz-Charles earl of Plymouth, commonly called Don Carlos, born 1658, killed October 17, 1680, at Tangier. He married Bridget daughter of Sir Thomas Osborne duke of Leeds, who married afterwards Dr. Biss the late bishop of Hereford.

4. By Mrs. Barbara Villiers, heiress of William viscount Grandison in Ireland, and wife of Roger Palmer earl of Castlemain, created lady Nonfuch, countess of Southampton, and duchess of Cleveland, who died in 1709, he had three sons, and three daughters.

1. Charles Fitz-roy, born 1662, created 1675, duke of Southampton, and after his mother's death duke of Cleveland. His wives were Mary daughter of Sir Henry Wood, and Alice daughter of Sir William Poultney. 2. Henry Fitz-roy duke of Grafton, born September 20. 1663, and killed October 9, 1690, at the siege of Cork in Ireland. His wife was Isabella daughter

of Henry Bennet earl of Arlington, married after his death to Sir Thomas Hanmer, Bart. 3. George Fitz-roy duke of Northumberland, born December 28, 1665, who died July 8, 1716, without children. 4. Anne Fitz-roy born Feb. 29, 1661, married in 1674, to Thomas Lennard earl of Suffex. 5. Charlotte Fitz-roy, born September 5, 1664, married Feb. 20, 1676-7, to Sir Edward Henry Lee earl of Lichfield. 6. Barbara born July 16, 1672, who became a nun at Pontoise in France.

5. By Mrs. Eleanor Gwin, 1. Charles Beauclerk duke of St. Albans. born May 8, 1670, who married Diana Vere, eldest daughter and coheirs of Aubrey de Vere, the 20th and last earl of Oxford. 2. James Beauclerk born December 25, 1671. He died in 1680 in France.

6. By Louise de Querouaille duchess of Portsmouth, Charles Lenox duke of Richmond and Lenox, born July 29, 1672, who died May 27, 1723. His wife was Anne, eldest daughter of Francis lord Brudenel.

7. By Mrs. Mary Davis, Mary Tuder, born October 16, 1673, married in August 1687, to Francis lord Ratcliff earl of Derwentwater. See Sandford, p. 639, &c.

II. In this reign the city of London put on a new face, by being rebuilt, after the great fire, in so handsome and well contrived a manner, as hath greatly contributed to the beauty, healthfulness, and convenience of that great and noble city. In this reign likewise it was, that the royal Hospital at Chelsea, was founded.

III. By an indenture in the 13th of Charles II. gold and silver moneys were coined in the same pieces, and at the

1684-5.

the same rates, as in the 2d of Charles. See above Vol. X. p. 543. note.—By another indenture in the 22d of king Charles II. Crown gold, twenty two carats fine, and two carats alloy, was coined into 44l. 10 s. by tale; namely, into pieces to go for ten shillings, twen-

ty shillings, forty shillings, or five pounds a piece; and a pound of silver of the old standard into three pounds two shillings by tale; namely into crowns, half crowns, shillings, half shillings, groats, half sixpences, half groats, and pence.



The money of king Charles II. was of three sorts: the hammered, which was the only current coin, till 1663; the milled upon the side: and that with the graining or letters upon the edge.—The first money that bore the name of this king, was coined at Pontfract Castle; round which is inscribed CAROLVS SECVNDVS, 1648. on each side of the middle tower is PC. Reverse, a crown, with CR. DUM. SPERO. A crown hath CAROLVS II. D. G. MAG. B. F. ET. R. REX. In the field, HANC. DEVS. DEDIT. 1648. Reverse PC. Above the castle, POST. MORTVM. PATRIS. PRO. FILIO. Upon the hammered money

in general, he is represented with the half face, crown and band, &c. CAROLVS II. D. G. MAG. BRIT. FR. ET. HIB. REX. Reverse, the arms in one shield, not crown'd, with his father's motto CHRISTO AVSPICE. REGNO.—The gold coins have, on one side, the king's head laureat, with a youthful countenance. Reverse, the arms in a single shield, crown'd between C. R. FLORENT CONCORDIA REGNA. Another has XX behind the head. On the money called cutters, the legend goes quite round the head; which, it does not in a very neat cutter, called by some the unmilled guinea, the king's head extending

sending to the rim, without the initial figures behind the head, and the titles abbreviated to CAR. D. G. M. BR. FR. ET. HIB. REX. Reverse as the former 1662. The five pounds, three pounds, and forty shilling pieces, have the king's head laureat, CAROLVS II. DEI GRATIA. Reverse, the arms of the four kingdoms, single in four separate shields crowned, a scepter in each of the vacancies, with a rose, flower-de-lis, thistle, and harp at the points, and the c's interlink'd in the center. MAG. BR. FR. ET. HIB. REX. 1673. Upon the rim, DECUS. ET. TUTAMEN. ANNO. REGNI. VIGESIMO. QUINTO. The king was the first that coined GUINEAS and half guineas, which he did in his 22d year. The guineas were ordered to go at twenty shillings, the half guineas at ten shillings. As they are in every body's hands, there is no need of giving a further description of them. Of the hammer'd silver money, the shilling is very fair, and has a crown for the mint mark. Of these are two sorts, one with XII. Behind the head, which the other wants; as also the inner circle. (fig. 1.) The sixpences are like the shillings, but have VI. instead of XII. The lesser pieces, from the groat to the penny, are marked with the initial figures, IIII. III. II. I. behind the head; except upon some of the two-pences, which want the figures. This hammer'd money continued current till 1663, when the milled money came to be in use. Of this there is

a very fair crown, having a rose under the king's head laureat, from thence called the rose crown, CAROLVS II. DEI GRA. Reverse, MAG. BR. FR. ET. HIB. REX. 1662. The Arms of the four kingdoms in four Shields, France and England quartered together in the first and fourth: each shield is crowned; between them are c's interlinked, and St. George's cross radiant in the center; upon the rim, DECUS. ET. TUTAMEN. (fig. 2.) The half-crowns are like the crowns; only one has the year in figures upon the rim, ANNO REGNI. XVIII. The milled shillings are neatly struck, having c's between the four shields crown'd, with the arms single, and inscribed as the crown. Upon some is an elephant; upon others the prince's feathers; and a third has the scepters. The sixpence is like the shilling. The groat has four c's interlinked, with a rose, thistle, fleur-de-lis, and harp in the vacancies. The threepence, two-pence and penny, have as many c's thereon crown'd. In 1672. the king coined copper half-pence and farthings. They have, on one side, the king's head laureat CAROLVS. A. CAROLO. Reverse, BRITANNIA, and round her BRITANNIA. with the year in the exergue. There was another farthing coined of rare copper, having on the reverse, QVATVOR. MARIA. VINDICO. exergue, BRITANNIA. But these were called in, to please the French king.

**DIRECTIONS to the Binder for placing the CUTS.**

**Head of King Charles II. to face page 185.**

**Monument of King Charles I's Queen, to face page**

**330.**

[The body of the document contains extremely faint, illegible text, likely bleed-through from the reverse side of the page. The text is organized into several paragraphs, but the characters are too light to transcribe accurately.]

